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ADMINISTRATIVE BEGINNINGS IN BRITISH BURMA

1826-1843.

Volume I

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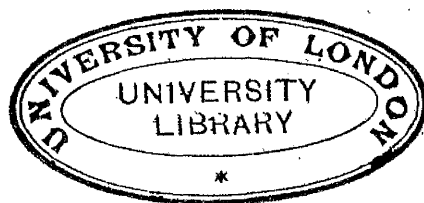
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ABSTRACT.

By the Treaty of Yandabo, which terminated the First Burmese War (1824-1826), the Burmese ceded to the British the coastal provinces of Mergui, Tavoy, Ye and a portion of Martaban, collectively known as the Tenasserim provinces, as well as the province of Arakan. As the war had been declared by Lord Amherst, the Governor-General of Bengal, the conquered provinces technically formed a part of the Bengal Presidency, and were placed by the Directors of the East India Company under the minute supervision of the Governor-General in Council. Administration was begun during the war; the provinces of Mergui and Tavoy were entrusted to the superintendence of Fullerton, the Governor of Prince of Wales Island; Robertson was the first commissioner of Arakan, Maingy sent to Burma by Fullerton the first Commissioner of Mergui and Tavoy, while Crawford and Fenwick were the first administrators of Martaban and Ye. From the beginning, the administrations of Arakan and Tenasserim were quite distinct, and there are no common records. Fullerton and Maingy who together drew up the earliest revenue, police and judicial regulations for Mergui and Tavoy, laid the foundations of British rule in

Tenasserim. Arakan, after a short spell of bad administration, was subjected for five years to the control of the Commissioner of Chittagong. The period 1826-1843 marks the transition between Burmese and British rule; in both provinces efforts were made to retain much that was beneficent in native institutions and practice and to destroy all that was corrupt and cruel. The administration was Non-Regulation in character, and much handicapped by restricted expenditure yet, in spite of the inefficiency of Hunter and Paton in Arakan, and the mediocrity of Blundell in Tenasserim, the period boasts of three administrators viz : Maingy, Bogle and Phayre who by personal talent and unwearied zeal laid the foundations for the future progress of Burma.



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PREFACE.

A recent writer on the present administration of Burma has remarked on the fullness and completion of its governmental records which, in these two respects, he states, will bear comparison with any highly organised government in the world. This feature which is so striking in the Burma records of to-day, is the fruit of a development which has been going on for at least a century - in fact, from the foundations of British rule in Burma. When the East India Company acquired possession of the two Burmese provinces of Arakan and Tenasserim, after the First Burmese War in 1826, the administration of the two provinces was subjected to the detailed supervision of the Governor-General in Council of Bengal. Every incident in the administration had to be reported, every item of expenditure sanctioned. Even the amount of furniture, table stores and wine of each commissioner was regulated, while the number of elephants he used was restricted. Nothing was allowed to escape the attention of the Governor-General in Council although owing to the remoteness of the Tenasserim provinces from Bengal, Maingy the Commissioner from 1826-33, was able to exert a fair amount of independence. The story of early British rule in Burma therefore, if not as elaborate or departmen-

talised, is as full of detail as are the Government records of to-day; its chapters indeed are scattered, sometimes an important page is missing, often the tale lacks coherence, but seldom is there any lack of material. The difficulty for the researcher lies rather in tracing developments through a mass of detail, in mixing together isolated measures and incidents so as to paint a true portrait of the early condition of affairs, for in the perusal of original accounts and discussions of interesting problems, the wood is often obscured by the tress.

The material on which this thesis is primarily based, was obtained from the Record Department of the India Office at Whitehall, and largely consists of copies of the Consultations of the Governor-General in Council of Bengal, with reference to the administration of Arakan and Tenasserim between 1826 and 1843. These copies, which include minutes written by members of the Bengal Council on affairs in Burma, minutes of the meetings of the Bengal Council, reports from the Commissioners of Arakan and Tenasserim with the corresponding orders of the Bengal Government, and important statistical enclosures, were regularly sent to the Court of Directors in England, who exercised as detailed a degree of control over their servants in the East, as did the Bengal Government over

its subordinates. The chief documents which I have consulted are as follows :- The Bengal Secret and Political Consultations 1826-34; Bengal Revenue Consultations 1826-43; Bengal Sudder Board of Revenue Proceedings 1837-43; Bengal Civil Judicial Consultations 1834-41; Bengal Criminal Judicial Consultations 1834-42.

In addition, I have also culled valuable information from the Despatches sent to Bengal by the Court of Directors 1826-43, and from Volume 680 of the Home Miscellaneous Records. In many respects however, by far the most useful sources for a connected chronological account of measures and their results in Tenasserim are the printed volume of "Selected Correspondence of Letters" issued from and received in the Office of the Commissioner of the Tenasserim Division 1825-26 to 1842-43, and a printed "Precis of all Letters for the same period" published at Rangoon, 1929. These letters, written by Maingy and his successor Blundell, give us a true insight into early administrative conditions in Burma, as well as an idea of the character and achievements of the first two Commissioners of Tenasserim; copies of many of the letters were sent to the Court of Directors and are also to be found in the Bengal documents mentioned above, but owing to the enormous growth and ramifi-

cation in the administration of the Indian Empire from 1833 onwards, abstracts alone of the original letters were sent to England, and the Bengal Consultations therefore lack the important statistical or local information which is contained in the printed volume. Unfortunately, although nearly 200 volumes of manuscript letters relating to Arakan for the same period are contained in the office of the Commissioner of Arakan, no print of them, with the exception of a "Precis of Old Records for 1823-24", has yet been made, and I have therefore been unable to fill in the gaps in the material on the administration of Arakan which occur in the Bengal Consultations, as I have been able to do for the administration of Tenasserim.

In the second place, I am indebted to the numerous contemporary narratives and eye-witness accounts of the First Burmese War for information on early conditions in the provinces of Arakan and Tenasserim, while for technical knowledge and useful suggestions, I have largely relied upon the works of writers who have been or are still well acquainted with Burma either in an administrative or educational capacity. With the exception of an occasional article in the Journal of the Burma Research Society, and a short section in a chapter on Burma by Mr. Harvey in the

Cambridge History of India Volume V however, the administrative history of the period 1826-43 dealt with in this thesis, is almost wholly untouched. The facts which I have brought to light are, with a few exceptions, absolutely new, and are not to be found in any printed work. I have ended my researches ^{at} ~~up to~~ the year 1843, partly because the time at my disposal was limited, and partly because that date is a convenient stopping place, for it marks the end of the Commissionership of Blundell in Tenasserim, as well as the end of the Selected Volume of Correspondence in the office of the Commissioner, Tenasserim Division 1826-43.

The story of the first seventeen years of British rule in Burma is both full and fascinating, and the unexplored nature of the subject has induced me to present to my readers as many of the available details as possible, in preference to drawing a sketchy outline of developments over a wider period. I am sensible of the short-comings of the work; the task of selection where the material is so abundant is necessarily difficult, and I have often been unable to bring sufficient light to bear on topics of intrinsic interest. A lack of background, and an

ignorance of subsequent developments, the history of which have never been written up, have restricted my vision, but I shall be satisfied if I succeed in stimulating further search in a most fruitful field, and in persuading my readers that although the roots of the present administration of Burma do indeed lie deep in the past, it is no longer a past which is wholly buried in obscurity.

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Chapter I.

THE TREATY OF YANDABO AND THE EARLIEST ADMINISTRATIVE MEASURES.

The First Burmese War which caused the spread of British dominion along the eastern side of the Bay of Bengal, and which, for the first time involved the troops of the East India Company in a struggle on the Asiatic continent beyond the borders of India, was declared by Lord Amherst, the Governor-General of Bengal against the Burmese on 5th March 1824. The war, waged in regions comparatively unknown, resulted in an enormous loss to the British in men and money; (1) no correct judgment had been formed of the strength of Burmese resistance, and in the words of Major Snodgrass, Military Secretary to General Sir Archibald Campbell, the Commander of the British forces in Ava, "from the day the troops first landed, it was obvious that we [the British] had been deceived by erroneous accounts of the character and sentiments of the

(1) Most of the early writers on the First Burmese War have over-estimated the cost of it. Laurie, for instance, in "Our Burmese Wars and Relations with Burma" pp 79-80 has given the cost of the war as £12,000,000. It is now generally accepted that the war cost the British £5,000,000. See Scott, "Burma from the Earliest Times to the Present Day." p 262, also Cambridge History of India Vol. V 1497-1858, Chapter XXX p 560.

The total number of fighting men of all ranks which originally landed at Rangoon, according to Wilson, "Documents Illustrative of the Burmese War, Historical Sketch, p 24, and Phayre, History, p 237, was roughly about 11,500. Mr. Harvey, the most recent writer on the subject states in the Cambridge History of India V, 560 that of the 3738 European troops which landed in Rangoon, 3160 died in hospital and only 166 in battle, while of the 1004 which landed in Arakan 595 died of malaria and none in action.

people, and that decided hostility from both Burmese and Peguers was all we had to expect." ⁽¹⁾ The loyalty of the population, even of the conquered provinces of the Burmese Empire was strong, and the task of conciliation ⁽²⁾ was not as easy as it had appeared. The hardships which the troops underwent for the first year and a half after their arrival in Burma, may be gathered from the pages of ⁽³⁾ Havelock, ⁽⁴⁾ Snodgrass, ⁽⁵⁾ Trant and ⁽⁶⁾ Robertson; in the absence of proper means of communication, cooperation

(1) Snodgrass, Narrative of the Burmese War, pp 18-19.

(2) Laurie, Burmese Wars, pp 24-5. In describing the difficulties of warfare in 1824 Laurie writes "Whatever complaints the Burmese might have among themselves against their Government, and however severly the Peguers might continue to feel the subjection into which they had been reduced from a state of independence yet, like the people of ancient Greece, at the appearance of a common foe all these causes of internal dissension were forgotten. Not a single boatman acquainted with the navigation of the Irawady was to be procured."

(3) Havelock, Memoir, pp 1-250. Lieutenant Henry Havelock was Deputy Assistant Adjutant General to the forces of the Rangoon expedition.

(4) Snodgrass. op. cit., Narrative. Chapters I-XVI.

(5) Trant. "Two Years in Ava." pp 1-143.

(6) Robertson. "Political Incidents of the First Burmese War." pp 1-145.

See also Rulers of India Series, Lord Amherst, Chapters IV-VI.

between different sections of the army was difficult, the delay in the arrival of commissariat supplies from India and the lack of sufficient medical attention for the soldiers stricken with malaria and scurvy were only accentuated by the break of the monsoons in May, while the unknown nature of regions covered with jungle and morass rendered warfare exceedingly difficult. The three chief spheres of fighting were, first, in Assam and Manipur⁽¹⁾ which the Burmese had overrun and conquered in 1813-24, secondly, in Arakan, into which British troops were sent first under Captain Noton of the 40th Bengal Native Infantry, and then under General Morrison, and thirdly, in Rangoon and the valley of the Irrawaddy river for which troops numbering 11,500 had been assembled from Bengal and Madras and placed under the command of Sir Archibald Campbell, a Lieutenant-Colonel in the King's 38th Regiment who had won distinction in the recent British campaigns in Spain, Portugal⁽²⁾ and France.⁽³⁾ On 11th May 1824, Rangoon was occupied and as an advance northwards was impossible owing to a lack of boats, an expedition consisting of His Majesty's 89th Regiment and the 7th Madras Native Infantry under Lieutenant

(1) Harvey. History, pp 296-297.

(2) Havelock. op. cit., pp 15-16.

(3) Phayre. History pp 237-238

Colonel Miles was sent by Sir Archibald Campbell in August to the Tenasserim coast. The towns of Tavoy and Mergui were captured in September, and for the rest of the war, (1) the latter besides constituting a health resort for invalids contributed valuable supplies of cattle for the troops. The (2) once important town of Tenasserim which had degenerated into a small fishing village was also occupied a few days later. The most noteworthy achievement of British troops on the Tenasserim coast however, was Lieutenant-Colonel Godwin's attack on Martaban, from which on the 30th September 1824, the Burmese were driven in spite of their fortified (3) pagodas and stockades. The conquest of Martaban one of the most valuable portions of the Burmese empire brought the British into contact with the Siamese frontier, but although the Siamese were the ancient and inveterate enemies of the Burmese, and although the British Commissioners in Ava opened negotiations with them for aid, "neither arguments, promises nor threats could divert that Government from their cautious and reserved system of policy." (4) They remained neutral, but armed, hoping by diplomacy to regain possession of their

(1) Havelock op. cit., pp 130-3
Trant, op. cit., pp 85-6.

(2) Anderson, English Intercourse with Siam in the 17th Century, pp 5-14.

(3) Havelock op. cit., p 133.

(4) Idem.

lost provinces of Martaban, Tavoy and Mergui although the Siamese governor of Xumphon did not scruple during the first few months of British occupation, to raid the latter and carry away as many as 1600 captives to Ligor.⁽¹⁾ In November 1824, after the old city of Pegu had been taken by the British the Burmese recalled their famous general Maha Bandula with the greater portion of his army from Arakan to oppose the British advance up the Irrawaddy, and the Bengal government owing to unforeseen difficulties in the south, attempted an invasion of the capital, Ava, by way of Arakan. An army of 11,000 men was assembled at Chittagong under General Morrison, part of which was conveyed to Arakan by a flotilla of gun boats and cruisers, and part of which marched by land to the Naaf river.⁽²⁾ On 29th March, 1825, the capital Mrohaung was captured after a second attack, the Burmese fled, and the southern districts of the province were soon occupied by the British. During the rains of 1824, the islands of Cheduba⁽³⁾ and Negrais had been conquered without much opposition, and thus the whole of Arakan became British. An attempt was made to send a column across the Arakan Yomas to assist Sir Archibald Campbell, but the passes across the mountains proved

(1) Anderson, op. cit., Introduction p 9. Xumphon and Ligor were places owned by the Siamese in the Malay Peninsula Also, Wilson, Documents p lxxv

(2) Phayre, History, p 247

(3) Idem, p 238

impracticable for heavy guns, and as most of the sepoys and European soldiers were disabled ^{with} through malaria, the scheme was abandoned. The main feature of the rest of the war was Sir Archibald Campbell's advance up the Irrawaddy. On 2nd April 1825, the Burmese were forced to evacuate the fort of Danubyn which lay sixty miles north of Rangoon, and on 4th April the British army arrived at Prome, ⁽¹⁾ at which they went into cantonments for several months. An armistice was proclaimed, and Burmese commissioners arrived to discuss terms of peace, but as these were rejected by Bagyidaw, the king, hostilities were resumed and the British army advanced to Patango in December. On 29th December after several meetings, a treaty was signed at Malun by commissioners of both sides on a boat anchored in mid-stream. ⁽²⁾ Fifteen days was allowed for its ratification by the King of Ava, but as no reply arrived, the British army advanced northwards, routed the Burmese at Pagan and finally encamped at the village of Yandabo only about forty-five miles from Ava. Bagyidaw was at last forced to agree to a treaty which was signed at Yandabo on the 24th February 1826, ⁽³⁾ and was also obliged to send to the British on that date the first instalment of twenty-five lakhs of rupees towards an indemnity of one crore

(1) Idem, p 252

(2) Scott, Burma, p 261.

(3) Trant, op. cit., pp 395-402. Trant's description of the proceedings at Yandabo is one of the best eye-witness accounts available in printed form.

(1)
of rupees. Politically speaking, the Treaty of Yandabo was a great triumph for the British for, by it, all the objects of the war were attained; the following pages will attempt to show how far it led to administrative success.

To begin with, the treaty was finally drawn up and signed on the part of the East India Company by General Sir Archibald Campbell, Thomas Campbell Robertson, a member of the British Commission in Ava, and Captain Henry Chads, the Commander of H. M's Flotilla on the Irrawaddy, and on the part of the King of Ava by the senior Wungyi, Mingyi Maha-Min-Hla-Kyan-Tin, Lord of Le-Kaing, and by Mingyi-Maha-Min-Hla-Thu-Ha-Thu-Atwinwun, Lord of the Revenue. (2) Two American missionaries the renowned Dr. Judson who had been in Burma since the year 1813 (3) and Price acted as interpreters. Robertson, who was magistrate of Chittagong previous to the outbreak of hostilities, (4) and whose statements may therefore be relied upon, states that when the war began, the territories of the East India Company and those of the King of Ava met at three points. These were, "at Goulpara (Goalpara) where the Burrumpooter (Brahmaputra) issues from the valley of Assam into the plains of Bengal; in Kachar to the east of Sylhet

(1) Aitchison, Treaties, pp 34-5. Article 5 and Additional Article.

(2) Aitchison, Treaties ii, 34-5.

Also Bengal Sec. and Pol. Cons. 14th April 1826, No.5
Copy of Treaty.

(3) Ann H. Judson, "An account of the American Baptist Mission to the Burman Empire."

Also Edward Judson, "Life and Labours of Dr. Judson" pp 274-80.

(4) Robertson. op. cit., p

in the Dacca division of Bengal, and on the banks of the Nef, a large river or rather arm of the sea, separating our (the British) district of Chittagong from the Burmese province of Arakan."⁽¹⁾ For about twenty-nine years previous to 1824⁽²⁾ especially after their conquest of Arakan in 1784⁽²⁾ the Burmese had made frequent raids into British territory, demanding the surrender of Magh refugees from Arakan or capturing and enslaving the inhabitants of the British frontier districts,⁽³⁾ and these depredations had considerably increased with their conquest of Manipur and Assam. The first great object of the British commissioners at Yandabo therefore was to secure the Company's frontier on the east and south-east and put an end to the frequent frontier disputes which had arisen and which even the missions of Symes in 1795, and 1802, Cox in 1797⁽⁴⁾ and Canning in 1803, 1809 and 1811 had failed to stop. By the treaty, the Burmese agreed to abstain from all interference with the principality of Assam and its dependencies, and with the petty states of Cachar and Jaintia and to recognise the independence of Manipur,⁽⁵⁾ and, in order still

(1) Idem pp 1-2 See map.

(2) Harvey, History, - 267

(3) Idem p 302

(4) Idem, pp 285-6.

(5) Aitchison, Treaties, ii. 34 Article 2.

further to secure their frontier on the south-east the British obtained the cession of the whole of the coastal province of Arakan.

From the records of the conference between the British and Burmese commissioners during the truce at Patanago, where the terms of the treaty had been originally drawn up and discussed, we know that it was with extreme reluctance that the Burmese ceded Arakan. Bagyidaw valued very highly that proud conquest of his grandfather Bodawpaya, for it had helped to consolidate the Burmese power, and had crushed all effective resistance on the part of the Maghs, who, as a consequence, had fled in large numbers to the adjoining British territory of Chittagong, a fact which played a large part in precipitating the war. ⁽¹⁾ Besides the pride of conquest, the fact that Arakan was a lucrative source of revenue and a good field for the royal patronage were strong grounds for its retention. ⁽²⁾ Article 3 of the treaty however, laid it down that, "to prevent all future disputes between the two great nations, the British Government will retain the conquered provinces of Arakan, including the four divisions of Arakan, Ramree, Cheduba and Sandoway, and His Majesty the King of Ava cedes all right thereto. The Unnoupectoumieu

(1) White, "A Political History", pp 3-7 and pp 41-2

(2) Phayre, History, p 259.

or Arakan mountains (known in Arakan by the name of the Yeomatoung or Poklingloun Range) will henceforth form the boundary between the two great nations on that side. Any doubts regarding the said line of demarcation will be settled by the commissioners appointed by the respective governments for that purpose, such commissioners from both powers to be of suitable and corresponding rank."⁽¹⁾ The Arakan mountains proved a definite and indisputable natural frontier which effectively shut off the Burmese from all further expansion westwards, even though it did not prevent border incursions and dacoities.

Then, in addition to the province of Arakan, the Burmese ceded to the British "the conquered provinces of Ye, Tavoy and Mergui and Tenasserim with the islands and dependencies thereunto appertaining taking the Salween river as the line of demarcation of that frontier;"⁽²⁾ thus ceding to the British all that portion of the province of Martaban which lay east and south of Salween: and any doubts regarding boundaries were to be settled in the manner specified in Article 3. Unfortunately, the Salween river did not prove as clear and definite a boundary as the Arakan mountains, for although it appeared to Sir Archibald

(1) Aitchison, Treaties, ii 34 Article 3.

(2) Aitchison, Treaties, ii 34 Article 4.

Campbell and his colleagues to constitute a very well-defined boundary line, the question was complicated by the existence of certain islands in the Salween river, a fact of which no specific mention had been made in the treaty, owing undoubtedly to the scanty nature of the information then possessed about the geography of the new provinces. These islands had hitherto been under the jurisdiction of the Burmese governor of Martaban, and the Burmese taking advantage of the loose wording of the treaty, laid claim to the island of Bilugyun which lies opposite the present town of Moulmein, and divides the mouth of the Salween river into two parts. Crawford, then one of the British commissioners in Ava, writing from Rangoon on 12th May 1826 to the secretary of the Government of Bengal advised its retention. "Bilugyun", he wrote, "is more than twenty miles in length, fruitful, comparatively well-cultivated and inhabited, and under the Burmese yields an annual revenue of half a lac of rupees, independent of the ordinary corvees and exactions of the public officers. Lying within a few lines (sic) of our new settlement, its possession would certainly be a matter of convenience." (1) The Government of Bengal however, not wishing for further disputes, laid it down as a rule for Crawford's guidance during his mission to

(1) Bengal Sec. and Pol. Cons. 30th June 1826, No.13

Ava, that, on all doubtful points, "the Burmese should have the benefit of the most liberal construction of the treaty."⁽¹⁾ It was only after much discussion at the Burmese court and after the British had proved by the amusing experiment of floating down stream two coco-nuts, that the main current of the Salween flowed west, and not east of the island, that Crawford obtained their admission of the British right to Bilugyun and of the Salween river as the boundary.⁽²⁾ Disputes over certain other islands in the river went on till the year 1831, and as late as 1843, the Commissioner of Tenasserim complained of dacoities and raids committed by Burmese subjects from the western side of the Salween.

Finally, it was arranged at Yandabo that "accredited ministers" from each of the governments should reside at the durbar of the other,⁽³⁾ and that subsequently a commercial treaty "upon principles of reciprocal advantage" was to be concluded. This commercial treaty was signed and sealed at Ratanapura on 23rd November 1826 after prolonged efforts by Crawford, the British envoy at Ava⁽⁴⁾ and appears

(1) Ibid, No.20.

(2) Ibid, 2nd February 1827, No.3. Letter to Government of Bengal from Crawford dated 25th December 1826.

Also Imperial Gazetteer of India, Provincial Series, Burma I, 420.

(3) Major Burney was the first British resident at Ava 1830-37. See Scott, op.cit., pp 265-6.

(4) Aitchison, Treaties. pp 37-9.

Also Bengal Sec. and Pol. Cons. 30th June 1826, Nos.17 and 18. Crawford's Outline of the Commercial Treaty and the criticisms of the G.G. in C.

to have greatly benefited the trade of Arakan, though not
(1)
that of Tenasserim.

The Treaty of Yandabo thus brought under the jurisdiction of the East India Company two large portions of coastal territory the area of which was estimated by
(2)
Crawfurd at about 48,800 square miles, and inhabited by people of Tibeto-Chinese origin, distinct from any of the Indian peoples in race, customs, languages and religion. It was evident long before the war was over that these new provinces could not be brought under the Bengal Regulations alone, new measures based on a thorough understanding of indigenous institutions were necessary for the new social and governmental conditions, but as we shall see, there was a strong tendency, especially on the part of the early administrators of Arakan, coming mostly from Bengal, to stress false analogies between Burmese and Indian institutions. Before any discussion of the position arising out of the Treaty of Yandabo however, and the problems confronting both the Governor-General in Council of Bengal

(1) The proximity of Arakan to Ava gave rise to a fair amount of trade by way of the An pass, although the restrictions laid by Burmese monarchs on the export of bullion did much to hamper the trade. In Tenasserim however, the hostility of the Governor of Martaban prevented the growth of commerce, till 1834 when missions were undertaken to the Shan States.

(2) Crawfurd, Journal. p 472.

(3) Wilson, Documents, Appendix p liii No 26. Extract from the Government Gazette March 2nd 1826 and p l xii, No 27 of March 26th 1826. The area of the provinces of Mergui, Tavoy and Ye was stated to be 15,000 sq. miles and that of British Martaban 12000 sq. miles.

and their agents in Burma, it is necessary to trace back to their origins, measures of administration, many of which were undertaken while the war was actually in progress.

Although by May 1825 the Burmese had been driven from the provinces of Mergui, Ye, Tavoy, Martaban and Arakan, the institution of law and order was no easy task for the British. The provinces of Martaban and Mergui, much depopulated by successive Talaing emigrations to Siam and Siamese raids were scenes of desolation and distress; the return of Magh refugees to Arakan after the British conquest had given rise to a lawless condition of affairs there, while in loyalty to their king, the population of Rangoon and the surrounding districts, even after the British conquest of the delta, withheld all cooperation. In addition to these difficulties, Burmese soldiers when all other forms of resistance failed, burnt or destroyed many of the conquered villages, committing robberies and cruelties upon the villagers to an unlimited extent ⁽¹⁾ and leaving them homeless and destitute. By the middle of June 1825 however, the situation underwent a rapid change. As soon as the British army had taken up its quarters at Prome, and had thereby shut off the Burmese forces from the southern districts, tranquillity was restored. The chiefs and people of the surrounding districts gained confidence in their new conquerors and

(1) Trant, op. cit., pp 201-2.

returned to rebuild their devastated villages. The following description of what took place in Prome is somewhat typical of what happened in most of the big towns in which the British troops had succeeded in establishing security and order :- "By the middle of June, the whole army was comfortably huddled in commodious airy buildings in the Burman style, and the officers had severally built small houses, and made themselves as snug as circumstances would admit, so that now the lately deserted Prome bore the appearance of a large and populous town. The streets had been cleared from the rubbish, and newly macadamized (sic) houses daily sprung up in every direction; a large and well-supplied bazaar was soon formed, at which all the female part of the population presented itself with fruit, fish, rice, and vegetables for sale; a number of Burman shops for retailing silks and other produce of the country were opened, and religion unmolested resumed its usual sway; the population of Prome flocking, in holiday dresses on festival days, to the Shoe Shando, (Shwe Hsandaw) quite reckless now of the presence of strangers." (1) It was at Prome therefore, that the first big administrative measures were discussed, for the Company's task now was to provide some sort of temporary administration for the occupied territories and protect the population from the revenge of their former masters.

(1) Trant, "Two Years in Ava" pp 199-200.

The first important step was taken on 26th August 1825. On that date, the Governor-General in Council of Bengal appointed Thomas Campbell Robertson who had been magistrate of Chittagong⁽¹⁾ previous to the outbreak of hostilities and then political agent to the British expedition to Arakan,⁽²⁾ junior member of a commission of which Sir Archibald Campbell was to be the senior.⁽³⁾ Ross Donnelly Mangles, also of the Bengal Civil Service was appointed secretary and sailed with Robertson from Ramree for Rangoon on 16th October 1825. Robertson admirably describes the working of the commission as follows :- "It was provided that in all cases of a political nature, the senior commissioner was to have a casting voice; my own part in the event of a difference of opinion being limited to recording the grounds of my dissent. Matters of a purely civil nature were left to my management, with a right reserved to the senior member of recording his opinion when he pleased. The duty of the secretary was to conduct the correspondence and methodize the proceedings of the commission, so as to have all prepared for the regular administration of whatever extent of territory the chances of war might throw into our hands. It will be seen from this

(1) Robertson, op. cit., p 13, see also, India Register 1824 pp 8 and 18.

(2) Ibid, 1826, p 20; Wilson, Documents p 24 No. 28. Extract from a despatch from the G.G. in C to the Secret Committee of the Court of Directors dated 23rd Feb 1824.

(3) Bengal Sec. and Pol. Cons. 6th January 1826 No.35 to Govt. of Bengal from Robertson dated 30th November 1825.

sketch that the military commander had nothing but a moral restraint imposed upon him; the political power of the commission being in his own hands as senior member with a casting voice. In short, the commander of the forces was subjected to a degree of control similar to that imposed by the constitution of our Indian government on the Governor-General who is free to act as he likes though the members of his council may record their reasons for disapproving of his measures. The object of this provision in the case of the Governor-General is to qualify without trammelling his essentially absolute power; and unless tempered by some similar association, it is clear that the almost equally absolute authority of Indian generals in the field would lead to continual and interminable conquest." (1) The records of the commission form the basis of our knowledge of administrative beginnings during the war. The commissioners met at Prome on 25th November 1825, and by their first resolution a few days later, military officers were to be placed in charge of some of the newly conquered districts in which a sufficient degree of tranquility prevailed to admit of the introduction of a regular system of administration. Captain Fenwick of the 12th Regiment of Madras Native Infantry was appointed to the civil charge of the town and provinces of

(1) Robertson, op. cit., pp. 143-5.

Martaban and its dependencies, ⁽¹⁾ and Captain Alves of the 70th Regiment of Madras Native Infantry to a similar situation at Bassein, ⁽²⁾ both officers being allowed civil salaries at the rate of Sa Rs 400 per mensem. The commissioners observing that the important town of Ye which with the surrounding district had been considered by the Burmese as a dependency upon Martaban, was situated at too great a distance from Martaban to be efficiently controlled and managed in all its minor details by Captain Fenwick in person, resolved that an officer in the capacity of assistant to Captain Fenwick should have subordinate charge of the town and district of Ye. The officer so deputed was to consider Captain Fenwick as his immediate superior and to report to the latter upon all subjects connected with the judicial, fiscal and general affairs of his subdivision. ⁽³⁾ Furthermore, it was resolved that, as the duties of Brigadier Smelt, sole civil officer in Rangoon and its important dependencies were too miscellaneous and heavy for one individual, Major Nicholson should have immediate civil charge of Rangoon together with Dalla and Syriam acting as subordinate to Smelt in the judicial department but, independent of his control in all matters of a purely fiscal nature. Major Nicholson's

(1) Bengal Sec. and Pol. Cons. 6th Jan 1826, No.36 Resolution of the Commissioners in Pegu and Ava - dated 26th August 1825.

(2) Idem.

(3) Idem.

(1)

salary was to be Sa Rs 500 per mensem.

The instructions issued by the commission to these officers are most interesting because each set dealt with circumstances peculiar to each district, and contained rules of guidance for the officers in charge. Perhaps the most important of them all is that contained in a minute by Robertson recorded on the proceedings of the

(2)

commission of 15th December 1825. In it, he voiced certain sentiments which British administrators have never ceased to repeat and emphasise. These were the necessity for the "acquirement of the language of the country, and the exemption from that dependency upon interpreters, the injudicious tendency of which is too obvious to require

(3)

explanation." He stressed the necessity for the administration of civil and criminal justice without trenching upon the established custom and institution of the country, but which might be accommodated to the peculiar circumstances in which the British then stood, and thought that the existing institutions of the country furnished the

(1) Idem.

(2) Bengal Sec. and Pol. Cons. 27th January 1826 No.22 dated 15th December 1825.

(3) Robertson expressly stated that "all petitions should be received and that examinations of the parties and witnesses, should be taken down and recorded in the Burmese language and character." Unfortunately these instructions, although put into practice in Tenasserim were subsequently disregarded in Arakan. See below p 23

best material that could be desired for building up an efficient system of police. He also pointed out the confusion and corruption that prevailed in the revenue management of the Burmese, and drew attention to the important fact that no direct land tax existed in Burma, the most important taxes being those on ploughs and the tax on households.⁽¹⁾ He concluded by saying that, although the fate of the provinces would remain undecided till the conclusion of the war, this consideration instead of abating would, he hoped, "operate as an incentive to the zeal of every officer employed in the internal management of the country, whose feelings will suggest to him that the briefer the probable period of our dominion, the more incumbent it is upon us strenuously to endeavour to improve the opportunity afforded us of spreading the reputation of our government."

On 30th December 1825, the commissioners while encamped at Patango on the route to Ava invited Sir James Brisbane, commander-in-chief of the British squadron in the East Indies, to officiate as second commissioner during the negotiations with the Burmese because of the great help received from his flotilla during the advance on

(1) Crawford, Journal, pp 417-24. "A direct tax on the land", writes Crawford, "according to its extent and fertility is not known to the Burmese. The impost is levied upon the proprietors or cultivators by families, and according to a rough estimate of their supposed means. An organised land-tax as a branch of public revenue, even in the modified sense now described, does not exist."

See also below Chapter II p p 48-49

(1)
Ava. He was present therefore, at all the meetings with the Burmese negotiators of the treaty, though, owing to ill-health, he was absent at Yandabo, his place being taken by
(2)
Captain Chads.

In the meanwhile, Robertson on his departure from Arakan had left Charles Paton, his deputy in charge of the local administration.
(3)
The latter an officer of the Bengal army had been for some time magistrate in Calcutta, but had been sent to Arakan in July to act as subordinate to Robertson, and, when the latter departed for Rangoon in October took on the duties of sub-commissioner for the whole province of Arakan. The administration of Arakan during the war seems to have been a much more difficult task than that of any other of the conquered provinces. To begin with, the extremely unhealthy nature of its climate during the monsoons, and the difficulty of communication either with Chittagong or the valley of the Irrawaddy proved great obstacles to cooperation with Sir Archibald Campbell's army. All efforts had to be directed towards collecting building material for housing the troops and erecting hospitals for the sick and wounded, and this could only be done through the agency of the Magh chiefs

(1) Bengal Sec. and Pol. Cons. 27th January 1826, No 11 Resolution of the Commissioners in Pegu and Ava dated 30th Dec. 1825.

(2) Trant, op. cit., p 398.

(3) Robertson, op. cit., p 129

who often proved most refractory. To quote Robertson's own words :- "In the interval between the expulsion of the Burmese from Arakan, and the establishment of the British power, all restraint being for a while removed, the country seemed on the verge of becoming disorganised." To combat this state of affairs therefore, Paton devoted much time and attention towards improving and strengthening the Magh Levy which had been raised by Robertson during the early stages of the war, (1) and with its aid, he was able to keep communications open and supply the force in Ava with men and buffaloes. The Government of Bengal gave him a valuable assistant in Captain Philipps who had much influence with the sepoys serving in Arakan, (2) and Paton placed him in charge of the three districts of Ramree, Cheduba and Sandoway, while he himself concentrated on the settlement of Arakan. Paton's first letter to his assistant describes his earliest attempts at establishing order and administering a rough form of justice :- "the duties," he says, "you will immediately be called upon to perform are the collection of

(1) Precis of Records, Arakan, p 15 No.99 Captain Dickinson of the 28th Regt. Bengal Native Infantry had been posted to its command in June 1824.

See also, Bengal Sec. and Pol. Cons. 17th February 1826, No.10 to Govt. of Bengal from Paton dated 17th Sept 1825. The Magh corps consisted chiefly of Maghs, and a few Arakanese Mussulmans and Burmese and in 1825 numbered 150.

(2) Bengal Sec. and Pol. Cons. 17th February 1826 No.15 to Govt of Bengal from Paton dated 15th Oct. 1825.

Also Robertson, op. cit., p 109-110.

the several quotas of men and buffaloes, and you are authorised to entertain the following establishment for the duties of your office vizt :- one mownshee, two mohurrers, one dabashee, one Mug writer, one jemadar and ten peons. Should you find the establishment not sufficient you will entertain what may be necessary reporting the same to this office. Until the termination of the war, no claims on account of debts are to be investigated, but all are to be numbered and registered, and a list submitted monthly to this office. In cases of riot, assault and robbery or other disturbance you will bring the parties before you, take down the evidence pro and con in the Persian language ⁽¹⁾ and either convict or dismiss the parties so offending; the punishment however not to exceed forty rattans and twelve months imprisonment with labor. In the event of any capital offence being committed or the crime appearing to deserve a greater punishment than above authorized, you will invariably after having taken the deposition of the party or parties send all the documents relative thereto to this office under such a safeguard as you may deem necessary.

(1) Robertson's early instructions were thus, from the beginning of British rule in Arakan, entirely disregarded. Both Paton, and his future colleague Hunter coming from Bengal instituted the Bengal practice in Arakan where a large proportion of the emigrant Maghs spoke Hindustani which was then translated into Persian. in accordance with the Bengal practice.

"No duties are at present to be levied but you will make enquiries into the nature of the trade of the provinces, their produce and the amount of revenue paid by the landholder during the rule of the Burmese. I have also to direct your enquiries about the manufacture of salt, where made, the season for manufacturing and the price, likewise what quantity the means of the provinces are likely to produce. These enquiries are however not to interfere with the more important duties entrusted to your charge vizt, the carrying into execution the arrangements formed by Robertson for assisting the operations and advance of this army"⁽¹⁾

A copy of the above letter was forwarded to the Government of Bengal, and it is worthy of notice that from the outset, every little detail of administration was closely scrutinised by the Governor-General in Council.

After the provinces on the Tenasserim coast had been conquered, they remained for a short time under the military authorities, but during 1825, while hostilities still continued, the two southernmost Mergui and Tavoy were placed under the superintendence of Fullerton, the Governor

(1) Idem.

(1)
of Prince of Wales Island. This was an exceedingly wise measure which had admirable effects on the administration of the Tenasserim Provinces for Fullerton's experience of the government of Prince of Wales Island was a valuable asset in the framing of judicial and revenue regulations. On 1st August 1825, he appointed Anthony Maingy, who up to then had been superintendent of Point Wellesley in Prince of Wales Island, Civil Commissioner of these two provinces, and Maingy sailing from Penang in the brig "Minerva" took over charge of Mergui on 30th September, and of Tavoy on 14th October 1825. (2) His earliest letters to Fullerton contain fascinating descriptions of the people and provinces he was sent to administer, and will be dealt with in the next chapter. By November 1825, Lieutenant Low of 46th regiment, Madras Native Infantry, also sent from Prince of Wales Island to Tenasserim, had prepared reports full of information regarding local history and Burmese institutions, (3) and in January 1826

(1) Bengal Sec. and Pol. Cons. 27th May 1825. No.26 Letters to Major Frith commanding at Mergui, and Major Balmain at Tavoy notifying the resolution of Government to separate the districts of Tavoy Mergui and Tenasserim from the control of Sir Archibald Campbell, and to assign charge of them to the Government of Prince of Wales Island.

(2) Selected Correspondence, Tenasserim p I Letter to Captn Burmain from Maingy dated 29th September 1825, and p 23 letter to Fullerton from Maingy dated 22nd October 1825.

(3) Journal of the Royal Asiatic Society Vols II, III, IV, s.v. Captain Low's History of Tenasserim.

Fullerton himself visited the provinces in order to draw up some scheme of revenue and judicial management.

The man who was to have a large share in the shaping of the British administration of Tenasserim however, was John Crawford, the brilliant orientalist, who had served the British in the North-West Provinces from 1803-1808, in Penang, from 1808-1811 and in Java, where he held some of the principal civil and political posts from 1811-1817.⁽¹⁾ On the retirement of Sir Stamford Raffles from the government of Singapore in 1823, Crawford was appointed to take his place, but at the beginning of 1826, while he was on a visit to Calcutta, Lord Amherst decided to appoint him third Commissioner in Ava and Pegu for the express purpose of negotiating a commercial treaty with the Burmese and to give him charge of the southern districts of Pegu and of the conquered province of Martaban,⁽²⁾ a post which he retained until his departure on a mission to Ava in September 1826.

The commission left Yandabo in the course of the first week of March and held its last meeting on 27th March at Rangoon where it was joined by Crawford.⁽³⁾ Price, the American missionary, was sent on behalf of the Court of Ava

(1) Dictionary of National Biography, s.v. Crawford, John (1783-1868).

(2) Bengal Sec. and Pol. Cons. 10th February 1826, Nos. 16 and 17, Resolution of Government of Bengal.

(3) Robertson op. cit., pp 211-2.
Also Havelock. op. cit., pp 267-9.

to propose a reduction of the money indemnity, and in strict adherence to the terms of the treaty, Rangoon was occupied by British troops till the second instalment of twenty-five lakhs was paid.⁽¹⁾ On 26th April, Captain Snodgrass arrived at Calcutta with the ratified copy of the Treaty of Yandabo, the Government of Bengal confirmed it, and ordered Sir Archibald Campbell to return to Rangoon to carry into effect the embarkation of the remaining troops, and to continue to act as commissioner in Ava in conjunction with Crawford. Robertson was sent back to Arakan where he resumed his duties as Commissioner, and Mangles was instructed to return to the Presidency.⁽²⁾

The above review of administrative measures prior to the Treaty of Yandabo shows us how far the foundations had been laid for a future scheme of government. In considering administrative efforts between 1826 and 1843 in the provinces of Arakan and Tenasserim however, it is necessary to take into account the relations of the East India Company with Burma before the War, and the attitude of the Directors of the Company towards these new acquisitions.

(1) Idem.

(2) Bengal Sec. and Pol. Cons. 14th April 1826. No.28 Instructions by Govt. of Bengal.

Although Burma had been known to Greek geographers and Roman traders, it appears to have been unknown to Europeans from the fall of the Roman Empire till the year 1453 when Nicoli di Conti, a Venetian merchant visited the city of Tenasserim, "one of the chief ports of the East."⁽¹⁾ At the end of the fifteenth century, Portuguese adventurers gained a foothold in the country and Portuguese merchants began to trade with Arakan, Pegu, Siam and Tenasserim. During the sixteenth century, it was visited by several foreign merchants notable among whom were Caesar Fredericke in 1569 and Ralph Fitch who was the first "recorded Englishman" to visit Burma in 1587.⁽²⁾ The East India Company however for two reasons made no serious attempt to open up trade with Burma till the year 1647 when the Syriam factory was established,⁽³⁾ although in the year 1617, one of its merchants at Masulipatam⁽⁴⁾ had engaged in a small venture to Pegu. During the latter half of the seventeenth, and first half of the eighteenth century, the Company strove with the aid of

(1) Hall, Early English Intercourse with Burma p 15.

See also, Anderson, English Intercourse with Siam, Introduction p 5.

(2) Hall, op. cit., p 25. To begin with Burma produced no spices, the chief article of trade at the time the Company was founded, and secondly, the Company being too insignificant in 1600 to contest Portuguese merchants in Burma refrained from opening up ventures in the country.

(3) Idem. pp 24-6, Appendix II.

(4) Idem. p 24.

envoys to develop to some extent their commerce with Burma and Siam, but although a factory chiefly for shipbuilding purposes was maintained intermittently at Syriam between 1647-1743⁽¹⁾ and another at Negrais 1753-1759,⁽²⁾ in the teeth of Dutch and French rivalry, much of the early trade with Burma especially that of the Tenasserim coast was in the hands of private traders, or individuals of the Company.⁽³⁾ In 1743, the Talaings of the delta in rebelling against Burmese invaders destroyed the English factory at Syriam,⁽⁴⁾ and from 1756-63 the Seven Years War prevented the development of the Company's trade with Burma. When commerce was resumed, Rangoon not Syriam became the chief port of British trade but owing to the great accession of political power to the Company, the relations between the latter and Burma "began to develop along entirely different lines, culminating in the Anglo-Burmese War of 1824-26 and politics supplanted commerce and shipbuilding as the main subject of those relations."⁽⁵⁾ The achievements of the Alaungpaya dynasty from 1732-1824 including the conquest of Arakan unified and consolidated the Burmese Empire, and a policy of hostility to foreigners was inaugurated. The only information the Company could get about Burmese conditions during the early

(1) Idem. Chapters IV, X, XI.

(2) Idem. p 241

(3) Idem. pp 141-4 The chief articles of trade were timber sticklac, saltpetre, rice, oil and elephants tusks.

(4) Idem. p 240

(5) Idem. pp 241-2

part of the nineteenth century therefore was that gleaned
from the accounts of men like Symes, ⁽¹⁾ Cox and Canning
who were sent on political missions to the Court of Ava,
and who found it impossible to obtain accurate estimates
either of the population or the resources of the country.

A perusal of the despatches of the Secret Committee
in England to the Governor-General in Council of Bengal
during the First Burmese War, reveals the fact that although
the struggle was at first viewed with great disapproval, the
necessity of combating Burmese arrogance was later realized,
though it was expressly stated that no acquisition of terri-
tory was to be made unless the security of the British
frontier demanded it. ⁽²⁾ Writing on the 3rd August, 1825,
the Secret Committee expressed the belief that it might be
necessary to annex "a small part of Arracan and establish a
naval station on the island of Cheduba", as well as to ex-
clude Burmese influence from Assam Manipur and Cachar ⁽³⁾ but
up to the end of the war the despatches exhibit a general
dislike of the annexation of the whole of Arakan, while the
retention of the provinces of British Martaban, Ye, Mergui

(1) Symes, Embassy to Ava pp 315-6.

(2) Home Miscellaneous Series. Vol 680 pp 1-9 Extracts from
Despatches from the Secret Committee to the Governor-General
in Council. 4th August 1824 - 3rd August 1825.

(3) Idem. 3rd August 1825 p 8 paragraph 32.

and Tavoy was certainly looked upon as being highly im-
probable, ⁽¹⁾ a transfer of them to the Siamese being
considered a good alternative. ⁽¹⁾ With the receipt of
the Treaty of Yandabo and copies of the minutes on the
retention, or otherwise, of the provinces written by
Lord Amherst, ⁽²⁾ Lord Combermere the Commander-in-Chief ⁽³⁾
and Harrington ⁽⁴⁾ and Bayley ⁽⁵⁾ members of the Bengal Council
however, the Secret Committee were faced with certain
considerations of which they had up to then, been ignorant.
Lord Amherst pointed out that the Arakan mountains consti-
tuted the only effective barrier against Burmese invasion,
and that the possession of Arakan would give the British
the command of the direct route over the An pass into the
heart of the Burmese territories. George Swinton, Secretary
in the Secret and Political Department of the Bengal Govern-
ment wisely pointed out that Arakan besides being rich in
grain and timber possessed strong commercial advantages
and would probably constitute a high road of trade to the
south west provinces of the Chinese Empire. ⁽⁶⁾ Being in-

(1) Idem p 9.

(2) Idem pp 31-54.

(3) Idem pp 17-26.

(4) Idem pp 59-96.

(5) Idem pp 175-199

(6) Idem. Minute by Swinton, dated 26th April pp 125-7.

fluenced by these arguments the Secret Committee on 25th August 1827 issued instructions for the retention of the whole of Arakan.

Unfortunately however for several years the fate of the Tenasserim provinces remained undecided. There was much speculation as to whether they could be ceded to Siam, but, considerations of justice and humanity towards the Talaing population and the inhabitants of Mergui precluded retrocession either to Siam or the King of Ava. (1) On 23rd November 1827, Lord Amherst writing to his council from Murshidabad stated "that the decided disposition to retain our conquests on the Tenasserim coast from the Salween river to Mergui has now been formally announced by the Home authorities." (2) Owing to the general dislike of expansion however, it still seemed from time to time likely that the provinces might be given back to the Burmese. Administration during the period of uncertainty was difficult, the heavy military charges of the provinces was con-

(1) The return of the provinces to the Burmese for a money indemnity was considered, but fear of Burmese cruelty to those people who had helped or welcomed the British during the war prevented the execution of such a scheme, while the idea of raising up an independent Talaing kingdom was rejected owing to the dangers of both Siamese and Burmese invasion.

(2) Bengal Sec. and Pol. Cons. 23rd November 1827 No.28

stantly lamented by the Directors and by the Governor-General in Council and every item of expenditure in Tenasserim was specially subject to discussion and criticism at Calcutta. It was not till 21st August 1832 that the Secret Committee in a despatch to Bengal ordered the retention of the provinces. ⁽¹⁾ In the meanwhile, the administration of Arakan had become linked up with that of Chittagong, while the remoteness of the Tenasserim provinces, in spite of the disadvantages resulting from the uncertainty of retention was affording Maingy much scope for the personal talent which he possessed.

In conclusion, it would be well briefly to consider a few of the arguments in favour of retention of the Tenasserim provinces, for the reasons which induced retention played some part in shaping the new administration. Fullerton during his visit to the provinces in February 1826 pointed out that the ports of Mergui and Tavoy on the Tenasserim coast would be useful in time of war, while the numerous islands which studded the coast could provide water, provisions and timber for ships. ⁽²⁾ French privateers and vessels had at different times found shelter at Mergui and King's Island and had been able to refit in these harbours

(1) Bengal Sec. and Pol. Cons. 19th March 1833, No.1 Minute by Lord William Bentwick dated 26th February 1833.

(2) Bengal Sec. and Pol. Cons. 27th April 1826 No.66 to G.G. in C from Fullerton dated 14th February 1826.

before recommencing attacks on British trade in the Bay of Bengal. ⁽¹⁾ The efforts of the officers in charge of Mergui and Tavoy should therefore be directed towards improving and strengthening their harbours. Fullerton also drew attention to the undeveloped resources of the Tenasserim provinces especially such resources as teak and grain and oil which, when controlled and taxed, he hoped would cover the costs of civil government and, to some extent, the military charges. The latter however, owing to the proximity of Burmese territory on the opposite bank of the Salween were always heavy and during the administrations of Maingy and Blundell were never met by the receipts. Fullerton's other predictions were to some extent realized. He believed that the trade of Tenasserim would improve under the stimulating effect of mercantile industry and capital. "The marine productions of the islands," he wrote, "form the great material for the intermediate trade with China. Their collection has employed thousands of the inhabitants from our settlements in the Straits, but owing to the interruption from Burmese and Siamese prowls has never been carried nearly to that degree to which it might be, should ⁽²⁾ these islands be continued under British sovereignty."

(1) Ibid, 27th April 1826. No. 25. To Lord Amherst from Fullerton dated 14th Feb. 1826.

Both Crawford and Fullerton therefore suggested that the new provinces should be peopled with Chinese labourers to compensate for a deficiency of native inhabitants, and that trade with China and the intermediate Shan States should be fostered. How many of these hopes were doomed to failure, and how many to success, we shall gather from subsequent chapters, but as is inevitable in all such cases, the administrative story for the first seventeen years of British rule is a record of tentative measures, gropings and stumblings. But, it was chiefly the friction caused by these early efforts that ultimately illuminated the road to success, and laid the basis for the future government of the province of Burma.

Chapter II.

THE ADMINISTRATION OF THE TENASSERIM PROVINCES 1826-1833.

A. CONDITIONS BEFORE THE BRITISH CONQUEST.

The territory ceded to the British Government by Article 3 of the Treaty of Yandabo extended southwards from the confluence of the Salween river with the Thoungyin to 10° 5' N. that is, from about 17° 57' N. to the present extremity of Burma. ⁽¹⁾ This area included that portion of the Burmese province of Martaban which lay east and south of the Salween river, the small province of Ye to the south of Martaban, and the provinces of Tavoy and Mergui. For many years after the British conquest, surveyors experienced some difficulty in discovering the exact boundaries of these provinces, especially on the east, where they touched the territories of Siam. Owing to constant struggles between the Burmese and Siamese much of the land on either side of the dividing ranges of mountains remained barren and uninhabited, and the Burmese practice of never defining boundaries, but merely mentioning contiguous towns, provinces or districts greatly enhanced the difficulties of demarcation. ⁽²⁾ From the outset of

(1) See map.

(2) Selected Correspondence, Tenasserim p 189. Letter to Govt. of India from Blundell, dated, 19th June 1840.

British administration, the river Pak Chan which flows south-westwards, and enters the sea in north latitude $10^{\circ} 5'$ was taken to be the southern boundary line between British and Siamese territory, but considerable doubt existed as to the limits of British territory on the north. In 1834, Charles MacSween sent by the Government of Bengal to report on the revenue and judicial affairs of the Tenasserim provinces stated in his return of the ceded territory that the Pak Chan river was the southern boundary, but gave the 20th parallel of north latitude as the northern one.⁽¹⁾ In June 1840, Blundell, commissioner of the Tenasserim provinces confirmed MacSween's statement about the southern boundary, pointing out that the Pak Chan river had been the boundary since the conquest of Mergui and Tenasserim from the Siamese by Alaungpaya in 1765,⁽²⁾ but in 1834 he had expressed doubts as to whether the British could claim territory further north or east of the confluence of the Salween and the Thoungyin.⁽³⁾ Richardson deputed by Blundell to investigate the northern limits of British Martaban had reported that since the war, the territory north of the

(1) Bengal Rev. Cons. 27th October 1834, No 5, dated 29th March 1834.

(2) Selected Correspondence, Tenasserim pp 189-90, To Govt. of Bengal from Blundell, dated 19th June 1840.

(3) Ibid pp 121-2 To Govt. of Bengal from Blundell dated 18th August 1834.

Thoungyin had been occupied by the Shans of Laboung and Chiengmai and the latter had even levied tribute on the wild tribes living on the west bank of the Salween.

Blundell admitted that Maingy's contention that the Burmese province of Martaban had originally extended to the 19th or 20th parallel of north latitude was most probably correct, as it had been founded on data obtained from Major Burney, envoy to Siam in 1825-26, but it was generally stated by the inhabitants of Martaban that about sixty years before the British conquest the Burmese had retired from the disputed territory north of the Thoungyin and that it was subsequently occupied by the Siamese. ⁽¹⁾

Blundell therefore always looked upon the confluence of the Salween and the Thoungyin as the northern limit of British Martaban, and early account of British Burma invariably place the northern boundary in latitude 17° 57'; ⁽²⁾ while the Thoungyin river still forms part of the eastern boundary between Burma and Siam.

The provinces of Tenasserim which had been subject

(1) Idem para 7

See also Crawford, Journal, p 475 Crawford also states that the northern limit of Tenasserim lay between the 19th and 20th parallels north latitude.

(2) Fytche, Burma Past and Present p 26. Fytche states that when he was posted to Arakan in 1841, Tenasserim extended from the Thoungyin river in the north to the Pak Chan in the south.

(3) Anderson. op. cit., Introduction p 2 The territory acquired by the British, according to Anderson, was 540 miles long, and extended from "the junction of the Thounggyan (Thoungyin) with the Salwin in lat. 17° 57' N., to the extremity of the peninsula of Pak Chan in 10° N."

to the sway sometimes of Siam, and sometimes to that of Burma, were roughly about 540 miles long and 30,000 square miles in extent.⁽¹⁾ Being bounded by mountain ranges on the east and the Bay of Bengal on the west their breadth varied from 15 to 75 miles according as the mountains approached or receded from the coast, which from the 15th to the 10th degree North Latitude was studded with numerous islands.

In defining the boundaries between the four provinces MeSween stated that the British portion of Martaban lay between north latitudes 20° and 15° 18', the Siamese range of mountains at an average distance of forty miles from the sea forming its eastern boundary, and the sea its western.⁽²⁾ The small province of Ye which lay between Martaban⁽³⁾ and the province of Tavoy, was separated from Tavoy by the Pan-klang stream, the Henza river, and the Three Pagodas which lay thirty eight miles inland, while the province of Tavoy which extended to latitude 12° 14' was separated from Mergui by the Palat and Mingbyin rivers. All the remaining portion of territory constituted the province of Mergui which was

(1) Crawford, Journal p 472. Crawford gave the total area of the territory acquired by the Treaty of Yandabo as 48,800 sq. miles. As Arakan was about 6,000 sq. miles in area (see below p) Tenasserim must have been about 30,000 sq. miles.

(2) See map.

(3) The province of Martaban is here meant. Except when the words 'town of' occur before the names, 'Martaban', 'Tavoy' or 'Mergui' the provinces, and not the towns are meant.

bounded on the east by the 'Siamese mountains' at an average distance of about forty miles from the sea. (1)

Up to about July 1826, the arrangements inaugurated during the war continued, and the administration of Martaban and Ye remained quite separate from that of Tavoy and Mergui. (2) Maingy, as we have noticed, had taken over charge of Mergui on 30th September 1825, and of Tavoy on 14th October and all through this period he reported to Fullerton, while Captain Fenwick, under the superintendence of Crawford remained in civil charge of Martaban and Ye. During this period, certain measures, suitable to local conditions were undertaken, and although the machinery of administration moved much more rapidly in the two southern provinces than it did in Martaban and Ye, the regulations drawn up for the former were extended, with certain modifications, to the latter, shortly after the amalgamation which took place in August (3) 1826.

(1) Article Three of the Treaty of Yandabo, leads us to believe that the province of Tenasserim ceded to the British existed apart from the provinces of Mergui and Tavoy. Maingy Low, and some of the military officers who undertook rough surveys however refer to the province of Tenasserim as being either a part of or identical with the British province of Mergui. We can only assume therefore, that even if a separate Siamese or Burmese province of Tenasserim had existed, it was absorbed by the new British province of Mergui.

(2) Selected Correspondence Tenasserim p 45 to Fullerton from Maingy dated 14th August 1826.

Also p 46 to Swinton from Maingy dated 26th Sept. 1826.

(3) Selected Correspondence, Tenasserim p 46. Letter from Maingy to G. Swinton. The orders for amalgamation were issued on 7th July but Maingy's acknowledgement of them is dated 26th September 1826.

Maingy's earliest reports on Mergui and Tavoy contain descriptions of the state of the provinces on his arrival, and a sketch of Burmese institutions and mode of government. The province of Mergui, which Lieutenant Low in his survey of 1825 had identified with the old Burmese province of

(1)
Tenasserim was a scene of desolation and distress. The Siamese had towards the end of the 13th century established their influence over Tenasserim, but had lost it in the 14th century to a Shan king. (2) They had then reconquered it on

their rise to power in 1350, founding the town of Tenasserim in 1373. (3)

The Burmese under Alaungpaya had however re- (4)
conquered it from the Siamese in 1765, and from that time

onwards the latter in revenge, periodically raided the province. Thus, shortly after the British conquest, they (5)
had carried away into captivity at least 1,600 of the

inhabitants, and on Maingy's arrival the total population (6)
did not exceed 5,181 souls. Most of the villages in the

(1) Bengal Sec. and Pol. Cons. 27th April 1826, No.2.

(2) Anderson. op. cit., Introduction p.3, also Phayre History p 66.

(3) Harvey, "History of Burma", p 112.

(4) Harvey, op. cit., p 202.

(5) This number was most probably correct as it is often quoted in later letters.

(6) Selected Correspondence, Tenasserim p 16 Census of the population of Mergui. Bengal Sec. and Pol. Cons. 22nd June 1837 No 37. Crawford in a report on the 'Resources and administration of the British acquisitions in Pegu dated 18th June 1827 stated that shortly after Mergui came under British rule the population numbered 8000. The increase may have been due to the return of captives from Siam.

interior were deserted, cultivation and trade were at a standstill, and the means for obtaining information about former conditions were scant. Many of the former Burmese officials had fled taking with them important documents, and Captain Burman and his troops were finding it exceedingly difficult to institute measures of civil government in the general confusion consequent on war. By 22nd October, however, Maingy was able to send to Fullerton a rough sketch of Burmese governmental conditions.

The province of Mergui was governed in very much the same way as most of the other provinces of the Burmese Empire. At the head of the province was the Myowun or governor appointed by the King of Ava, who was a despot possessing absolute power over the life and property of his subjects and who was cruel and tyrannous to an extreme. The Governor was not a salaried official but was allowed to keep whatever he could raise by taxation or otherwise, over and above the fixed annual contribution due from his province to the royal treasury. He was therefore aptly called a 'Myosa' or literally 'Eater of a province', and was often a semi-independent magnate with great power and influence. (1) He possessed both

(1) Bengal Sec. and Pol Cons. 27th Jan 1826 No.22 Minute by T.C. Robertson dated 15th Dec. 1825.

Ibid 27th April 1826, No 25 Letter to Lord Amherst from Fullerton in which he gives a list of officers under the Burmese dated 14th Feb 1826.

Also Nisbet "Burma under British rule and before" Vol I p 153. Also Crawford, Journal, pp 403-6. The word "myo" was applied both to a province and to a township hence the "myowun" was the Governor of a Province and the "myothugyi" the hereditary official in charge of a township.

See also Sangermano, "The Burmese Empire" pp 72-73

civil and military powers, and owing to the great distance between his territory and the capital, and the absence of good communications, he was often able to ignore royal instructions. Next in rank to him was the Yewun, or Lord of the Waters, the chief who had chief control of all war boats and craft, and with the Yewun was associated the .Akuwun or collector of land revenues, and the Akaukwun or collector of sea customs. Besides these four men, the provincial government consisted of two Sitkes or heads of police, two sayegyis or chief secretaries, and two nakans or collectors of information. Maingy found that none of these men received any regular salaries; they were paid with a portion of the fees and dues they collected and had in turn to send handsome presents and huge sums of money to the king and so they often extorted as much as they could from the inhabitants.

These officials were also responsible for the administration of justice forming the "Yon" or provincial court, and as they were allowed commissions on the suits they decided their judicial powers enabled them to extort heavy fees from suitors. ⁽¹⁾ Justice in Burma as in feudal England was a source of much profit, for, in addition to half the tax of ten per cent which the government levied on all suits ⁽¹⁾

(1) Selected Correspondence, Tenasserim p 53 Letter to Swinton from Maingy dated 25th November 1826.

the chiefs obtained presents and huge bribes from litigants. Early descriptions of the Burmese mode of administering justice teem with instances of the corruption and extortion practiced by officials ranging from the judge to the jailor. (1) As torture was applied both to accused persons and witnesses the opportunities for obtaining bribes were unrestricted. According to Crawford the English and Americans imprisoned at Ava during the war, were able to secure a mitigation of their punishments in stocks by the payment of bribes to the principal jailor through their friends and relatives, (2) and in important cases the judges did not scruple to take money from both sides. Two instances cited by Crawford exemplify the degree of corruption that prevailed. "On the 7th February 1819", he wrote, "seven persons found guilty of sacrilege were conveyed to the place of execution near Rangoon, and secured in the usual way to the stake. The first of these, whom it was intended to execute was fired at four successive times by a marksman, without being hit. At every shot there was a loud peal of laughter from the spectators. The malefactor was taken down, declared to be invulnerable, pardoned and moreover taken into confidential employment by the governor. It was afterwards ascertained that he had paid a large bribe. The second culprit was shot

(1) Crawford Journal p 407

(2) Idem p 408

and at the same moment the remaining five decapitated." (1)

The other instance is that of a woman who was brought before the court in 1817 for neglecting to report a theft committed upon her three years before. She and the lad left as pledge by her master were both confined in stocks till all the desired fees had been paid to the judges, and they were then discharged without any investigation into the theft at all. (2)

In fact, most offences appear to have been punishable by pecuniary fines, and death was seldom inflicted, only those who were unable to pay the fines being executed. The provincial court according to Maingy was constituted as follows :-

"The Miew-woon (Myowun) sat on the most elevated, the three next ^{to him in rank} on the second, and the last six on the lowest seat. The four first in rank attended only occasionally at the Youm, either as their inclination prompted or as their other duties would permit. The Nekhans (nakans) and Snegees (sayegyis) were only present occasionally, but the sekays (sitkes) were obliged to be in daily attendance. They administered both criminal and civil law, but all severe sentences required the confirmation of the Miew-woon. They appear to be the only inferior judges who administered criminal law. Each of the above officers held a private court at his own house, and there

(1) Idem p 409

(2) Idem pp 409-10

(1)
was always an appeal from them to the Miew-woon." Technically, an appeal might be preferred against the Myowun's judgment to the Hluttaw or great Council of State at Ava, but in practice owing to the great degree of corruption which prevailed in all departments of government, very few such appeals were ever made. The one redeeming feature of the whole system was the absence of caste among the Burmese. As Crawford pointed out in a report on the Tenasserim provinces written in June 1827, (2) as far as the administration of justice was concerned, only two orders existed in society, free men and debtor slaves, and there was no hereditary or powerful priesthood or aristocracy claiming privileges hostile to the interests of the general community. Landholders were peasant proprietors living on terms of equality with one another, and although the lack of a wealthy class was responsible for the backward state of education, and for the absence of all natural checks on misgovernment, Crawford thought that it also prevented the growth of social abuses. This practice of debtor slavery, we shall see was the outcome of the arbitrary acts of corrupt rulers, coupled with a certain amount of dislike to hard manual labour, and was more economic than social in character.

(1) Selected Correspondence, Tenasserim p 10.

(2) Bengal Sec. and Pol. Cons 22nd June 1827 No.37
"Observations on the Resources and Administration of the British acquisitions in Pegu" by Crawford, dated 18th June 1827.

For governmental purposes, provinces under the Burmese were divided into districts or chiefships over each of which an officer called a thugyi⁽¹⁾ was appointed. Maingy found that, owing to the sparseness of the population, the thugyis of the districts of the province of Mergui were not given any establishment for the preservation of order, their chief duty being to collect the revenue of their districts and send it to the Akunwun. The thugyi could decide petty causes, but there was always an appeal from him to the officers in the 'Youm' (Yon), and he did not have the power of inflicting capital punishment. In the town of Mergui however, conditions were different. The town was divided into five wards with a thugyi at the head of each, but although the collection of revenue was still his principal duty, he also had charge of the police within his division, and was given the help of three or four assistants. With the aid of his assistants, the thugyi had "to keep a night watch, to preserve quiet and prevent robberies. On his apprehending any offenders he forwarded them to the Thamoo (Toungmho) the officer who had charge of all criminals. It was also a part of his duty to keep the streets clear and prevent people accumulating nuisances before their houses."⁽²⁾

The other inferior officers of government were the above-mentioned Toungmho who was responsible for all prisoners

(1) Crawford. Journal pp 409-10. Powers and functions of thugyis under the Burmese are described.

(2) Idem p 11.

and criminals under sentence and the 'Thouza' (six) or executioner who was usually a criminal condemned for his crimes to act in this capacity. Lastly there was the myothugyi whom Maingy referred to as the 'Writer for a Province'. In most of the provinces of the Burmese Empire, the myothugyi was an important official in charge of a district including several villages, or of attown, and holding his office by hereditary right, in Mergui he kept a register of the population and of property of all kinds, and was therefore called upon from time to time to give information to the judges.⁽¹⁾ Although in his earliest reports Maingy referred to the myothugyi as an "inferior officer of government", he later realized the importance of the office and maintained the myothugyis as township officers with judicial and police powers.

The Myowun, the Akunwun, the Yewun and the thugyis of districts were the principal officials concerned with the collection of revenue. The revenue system of the Burmese though simple in theory, proved defective and corrupt in practice, chiefly because it ignored certain important principles of taxation. To begin with, a direct tax on land based on its extent or fertility had never been introduced,

(1) Selected Correspondence, Tenasserim p 10 To Fullerton from Maingy dated 12th October 1825.

See also, Nisbet, "Burma under British rule and before" i 154.

and the idea of "rent" appears to have been unknown. ⁽¹⁾ Taxes were levied on the incomes and property of individuals, and were not "specific portions of the calculated amount of the agricultural or commercial produce of the country." ⁽²⁾ Often therefore, a tax payable in grain was levied upon every plough drawn by a pair of buffaloes or oxen, ⁽³⁾ or upon the income of a cultivator and his family, but Maingy found that in certain parts of the country, it was becoming customary to levy a tax of ten per cent in kind on grain and garden produce. Besides this tax which was looked upon as the king's share however, the provincial officers were able to extort from the villagers several more baskets of paddy for themselves. Land under the Burmese could be cleared and cultivated by anyone, and no register seems ever to have been kept of the exact quantity of land under cultivation, though the thugyis of villages professed to know the extent of each man's holding. Although landed tenures and title deeds did not exist,

(1) Crawford Journal p 416-419

(2) Bengal Sec. and Pol. Cons. 27th April 1826. No. 25
To Lord Amherst from Fullerton dated 14th Feb. 1826

(3) Crawford op. cit. p 417.

"cleared lands" wrote Maingy, "constituted a clear and distinct private property some of them ancient, and were never interfered with unless owing to those arbitrary measures under the late absolute and despotic government. Every landholder is allowed to dispose of his property either by sale or gift, and it regularly descends to his family. It sometimes happened, but very rarely that, in the transfer of some lands, bills of sale were drawn out, but being written on the black tablets in general use among the Burmese, might be defaced or altered at pleasure. Any person quitting his land for a season and leaving no one in charge of it could not on his return claim it, or turn off the actual possessor without an order from one of the members of government, and this could alone be effected by bribery." (1)

Most of the inhabitants of Mergui and Tavoy however, according to Fullerton had their 'regular dwellings' within the stockades, and were only absent in the country districts during the season of cultivation. When the harvest had been reaped the cultivators brought in all grain to the public granaries at Mergui and Tavoy, where the government tenth was levied, and about five baskets in every hundred taken by the public officers. The price of grain, he said had always been so low that the chiefs could derive very little personal

(1) Selected Correspondence, Tenasserim p 9 To Fullerton from Maingy, dated 12th October 1825.

profit from it, and so no inducement for exactness existed; "the want of a market, the total absence of demand arising from the difficulties thrown in the way of merchants, kept down its price, and made it valueless as a money item of public revenue or private emolument." (1) One tenth of the produce is, in theory, an exceedingly small contribution to the state, but when we remember that the provinces contained vast regions of jungle and waste, and were very sparsely populated, it will be evident that land could not be a productive source of revenue.

Besides the tax on grain, Maingy was informed that the Burmese inhabitants of Mergui paid the following annual taxes :-

For every betel-nut tree	1 pice.	
" " coco-nut tree	4 pice.	(2)
" " 100 baskets paddy	6 baskets.	(3)
" " sugar boiler	2½ ticals.	
" " fishing stake	7½ ticals.	

(1) Bengal Secret and Pol Cons. 27th April 1826. No 25 Letter to Lord Amherst from Fullerton dated 14th Feb. 1826 Also Selected Correspondence, Tenasserim, p 52, to Swinton from Maingy, dated 25th Nov. 1826. Ten per cent of the produce was the established Land Revenue.

(2) This tax of 6 baskets on every 100 must either have been a market tax, as ten per cent was the amount usually paid by cultivators, or else was an extra levied on storers of grain. See

(3) For tical, see below p 58

For every fishing net	2½ ticals.
" " shrimp catcher	2½ ticals.
" " dammer torch maker	150 ticals.
" " dammer collector	10 viss or 25 catties. (1)

Then, every Karen household or family in the province paid the following tribute :-

2½ catties bees-wax.

1 basket cardamums.

3 catties sessamum oil.

1 piece of cloth ten yards long,

and every village of the Salons who inhabited the islands off the coast of Mergui, contributed 30 viss or 75 catties of bees-wax and 50 mats. The Salons also brought in from the islands large quantities of beche-de-mer (sea slugs) and edible birds' nests, some pearls, tortoise shell, amber-gris and agilar wood, and the privilege of buying these articles was sold to a contractor for Rs 600 a month. (2)

Although it was customary to levy the above mentioned taxes, "the amount of each tax depended entirely on the will of the Miew-woon (Myowun) and of course varied with the

(1) Hobson Jobson. Glossary s.v. Catty. A Chinese weight introduced into the Malay Archipelago equal to 1 1/3 lbs avoirdupois or 625 grammes. In Chinese trade however it varies from 4 to 28 ounces.

(2) Selected Correspondence, Tenasserim, p 12. To Fullerton from Maingy dated 12th October 1825.

(1)
change of Governors." The thugyi of each district collected the revenue and forwarded it to the Akunwun who supervised its collection in the town of Mergui and its adjoining districts. The latter retained a certain portion of the produce for state needs, and converted the balance into money which he remitted to Ava once in two or three years. (2) The Commissioner could not obtain even a rough estimate of the amount of revenue thus obtained, partly because many members of the former government had fled, and partly because the inhabitants, fearing further taxation, withheld all information.

In addition to this regular revenue, certain extraordinary demands were made on the inhabitants from time to time. Every village was compelled to supply the government with a certain number of men for the construction of public works or for the defense of the province, and as each of these men were sometimes paid on the average about thirty pieces of silver, every request for personal service resulted in a capitation tax on the inhabitants, and increased extortion on the part of officials, (3) often however forced labour was

(1) Idem.

(2) Journal of the Burma Research Society.

(3) Bengal Sec. and Pol. Cons. 27th Jan. 1826 No 22, Minute by T.C. Robertson, dated 15th December 1825. Compulsory labour was not always paid for however, and this practice tended to raise the price of free labourers.

unremunerated. Then the Court of Ava often sent out requests for a certain number of boats which the inhabitants had to build and sell to it at greatly reduced prices, or else the military force stationed in the province had to be supplied with rice and provisions, or again, special contributions were levied for the annual presents to the king. Besides, arbitrary imposts of various sorts existed, such as dues on sales of cattle, or on fisheries and nets, or on brokerage. In short, no limitation existed to the demands which could be made on the people, and although, Maingy learnt on his arrival that the former government of Mergui had been particularly mild, and that such light imposts had never before been fixed, all signs of wealth or prosperity among the inhabitants were lacking, and many of the ~~the~~ ~~them~~ had sunk into a state of debtor slavery.

The causes and nature of debtor slavery were fully explained by Fullerton in a letter to Lord Amherst for it was one of the biggest problems that confronted British administrators. The practice, he said, existed all over the Eastern Archipelago, including Prince of Wales Island, and arose chiefly out of a contract to labour for an individual in return for a sum borrowed, or in the case of

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No 25 dated 14th Feb. 1826.

extremely impoverished individuals, in return for food and protection. Younger brothers and sisters and children were also drawn into the system because they were "liable to be sold for the advantage of the head of the family."⁽¹⁾ Slaves could purchase their freedom by repaying the sum originally borrowed, but if born in a state of slavery the price of redemption was fixed for a man at Rs 30, and for a woman at Rs 25. As most masters however, possessed absolute power over the labour of their slaves, it was extremely difficult for slaves to earn their freedom and they were looked upon by the state as the property of their owners. Maingy and Crawford in several letters pointed out that in some respects the practice was not as vicious as might be imagined for, apart from the fact that it was primarily economic in character, and that many slaves lived happy and comfortable lives, it provided for the subsistence and employment of paupers.⁽³⁾ Still the evil effects of the whole system, especially when it involved the bondage of children and compulsory transfer from one master to another, so outweighed its few doubtful advantages that, principles of humanity

(1) Idem.

(2) Idem.

(3) Idem

and justice alone, if nothing else, demanded its abolition.

When the British conquered Mergui, the trade of the province had considerable declined and the customs revenue was trifling in amount.⁽¹⁾ The port of Mergui which, under the Siamese, had been a great centre of European trade in Indo-China,⁽²⁾ had lost much of its trade after 1765 when it was conquered by the Burmese, partly because the latter raised great difficulties in the way of merchants using the overland route to Ayuthia and partly because of the depopulating effects of numerous Siamese invasions. After 1743 as we have noticed the relations of the East India Company with Burma were more political than commercial in character,⁽³⁾ and the importance of Mergui lay more in its strategic position as a harbour of

(1) Selected Correspondence, Tenasserim p 13 To Fullerton from Maingy, dated 12th October 1825.

(2) "Harvey, History of Burma", pp 202-3. The merchants of Golconda traded with Mergui, private traders such as Burneby and Samuel White had held important posts in it under the Siamese government, and after the massacre of the English in 1687, the Dutch who possessed the tin monopoly dominated the trade of the port.

(3) Hall, "Early English Intercourse with Burma" pp 241-2

refuge for warships, than in its value as a trading port. Thus under the last Myowun the 5 per cent duties on imports had been reduced to $2\frac{1}{2}$ per cent, while the $2\frac{1}{2}$ per cent fees which had been divided according to some, between the Myowun and his colleagues, and according to others between the collector and his department, to $1\frac{1}{2}$ per cent, and the regular duty of 6 per cent on exports had been abolished altogether.⁽¹⁾

Finally, a most productive source of revenue to provincial officials was one which the state did not recognise, namely the gambling and liquor farms. Although the practice of gambling, and the use of intoxicants were prohibited by the Burmese civil and religious codes, both prevailed in Mergui and Tavoy and licenses for gambling houses and for the sale of opium, samsoo and toddy were farmed out by the Myowun for two months at a time. The Chinese usually held them and always combined together and purchased them on their own terms.

The Burmese currency at Mergui consisted of silver

(1) Selected Correspondence, Tenasserim p 13, to Fullerton from Maingy. dated 12th October 1825

(1)
ticals and tin pice. The former was equivalent to about Rs $1\frac{1}{4}$ and thirty-six of the latter were given for a Madras rupee. When Maingy arrived however, he found that because of the occupation of British troops, many Madras rupees and $\frac{1}{4}$ pagodas (2) were in circulation.

When the British troops conquered Mergui the old city of Tenasserim was in a state of decay and the port of Mergui was the most important town of the province. The early descriptions of Mergui were highly favourable

(1) Hobson Jobson, A Glossary, s.v. Tical. The tical was the name used from the 16th century onwards by foreign traders to Burma for the "quasi-standard weight of uncoined current silver", in the country. This weight which is still used in Burma is the hundreth part of a viss; it is termed by the Burmese "kyat" and is roughly equal to about Rs $1\frac{1}{4}$ in value. Its origin is still uncertain having been thought by Sir Arthur Phayre to be a corruption of the Burmese words "ta-kyat" or one kyat, and stated by others to be of Indian origin. Under the Burmese the tical was "a short cylinder of silver bent double, and bearing two stamps," and was thus neither bullion nor proper coin.

According to Crawford and Symes it consisted of eight moos, and according to Yule to ten moos.

See Crawford, Journal pp 383-4

Yule, Mission, pp 258-9

Symes, Embassy, pp 326-7.

(2) Hall, op. cit., Appendix I p 245. In the 17th century the new pagoda of the East India Company was worth about eight shillings.

See also Hobson Jobson, Glossary s.v. Pagoda. In 1818, the pagoda was said to be equal to $3\frac{1}{2}$ rupees.

and seem to have played their part in inducing retention. (1)
In his first report Maingy wrote :- "Mergui possesses all the advantages which have been ascribed to it either in a commercial or political point of view. Its harbour is safe, extensive and commodious, easy of egress and ingress during both monsoons for ships of any burden. The bar is easily crossed at high water even during the neap tides when there is never less than four fathoms, and by placing four beacons to mark out the channel, a stranger might enter the harbour without advice or assistance. Ships of any size may anchor within a few hundred yards of the town. The finest docks might be constructed without difficulty, the rise of water at spring tides not being less than 18 feet. A constant supply of excellent fresh water can always be procured and the encouragement which the resort of ships will give to the inhabitants to rear poultry and cultivate their gardens, will, I am certain ensure an abundance of provisions" He then went on to discuss the advantages of the province as follows :- "of the resources of the coast of Tenasserim there can be no question. Its central position both with regard to the Burman and Siamese territories point it out in every respect as a depot for (a) commercial emporium, and with an increased population combined with the industry and enterprise of

(1) Selected Correspondence, Tenasserim pp 4-5. Letter dated 12th October 1825.

of British and Chinese merchants, it may reasonably be expected that the ancient commerce formerly carried on with Siam will again be revived and by this means the manufacturers of England and British India be widely dispersed; Captain Burney, Envoy to the Court of Siam will, I am satisfied leave no effort untried to establish an early communication between Bangkok and Mergui and much may be expected from his talents and ability in effecting this important object.

So much has been said regarding Mergui in a political light that a few observations only are necessary. The town is situated on a hill 130 feet above the level of the sea, and surrounded by a stockade of about $2\frac{1}{2}$ miles, and in its present state quite equal to resist the attacks of an enemy not skilled in the science of war. The island itself is upwards of 60 miles in extent; at one point the river is not more than 20 yards wide, so that its insular position may not be considered as any great advantage to its defence, but the town might be fortified and rendered almost impregnable."

Sailing from Mergui, Maingy took over charge of the province of Tavoy from Colonel Bishop on 14th October. ⁽¹⁾
The Burmese government of Tavoy had been much the same as

(1) Selected Correspondence, Tenasserim. p 23 To Fullerton from Maingy dated 22nd October 1825.

at Mergui. The same number of members composed the provincial government, and they had the same duties. The administration of justice was similar, and the practice of extortion as widespread. From a census ⁽¹⁾ of the population taken immediately after his arrival, Maingy estimated the population at 18,891, but in his later letters he remarked that, owing to the difficulties of collecting correct information, it was more than probable that the number of inhabitants had been underestimated.

The province was divided into seventy-eight districts, each having its own thugyi or headman, and sixteen of these districts were within the port. ⁽²⁾ These thugyis differed from those at Mergui in only one important respect, namely that they did not collect the revenue. Instead of the thugyis, several men called 'Pabia' ⁽²⁾ were appointed to go through the districts collecting the taxes which were similar to the taxes in Mergui. In Tavoy also the Akunwun was the highest revenue official and all grain was carried to the public granary and liable to a similar duty of ten per cent. ⁽³⁾ As at Mergui, landed tenures were unknown, but private and hereditary rights were recognised, though subject to the arbitrary will of government.

(1) Maingy does not state whether the census was one of houses, families or heads of population.

(2) Idem, p 24

(3) Idem.

For police purposes, the town of Tavoy within the walls of the fort was divided into six wards and that part between the inner and outer walls into ten. Each of these wards had a thugyi or chief whose duty it was to preserve order, but more especially to collect men wanted by government either for military purposes or for some public work. The same system of compulsory labour as at Mergui therefore prevailed here, but much of the public and private labour of the province was performed by slaves. An official called the "Paumbao" superintended the police, kept watch at night, and arrested all suspicious characters after 9 o'clock. Having no establishment, he had power to call upon the inhabitants to assist him. In the country districts, the thugyis arrested offenders and sent them to the town.⁽¹⁾

The chief sources of revenue in Tavoy were the taxes on grain, fruit, vegetables, betel and coco-nut trees, sugarcane and tobacco which was cultivated in large quantities. Maingy heard on his arrival, that a certain amount of tin could be procured about a day's journey eastwards from Tavoy, and hoped to derive much profit from mining it, though under the Burmese the quantity obtained had been almost negligible. The forests of Tavoy abounded in twenty-nine different kinds of timber and large quantities of sapanwood⁽²⁾ were exported to

(1) Idem p 27

(2) Sapanwood known in Burmese as "Tein-nyat" was used for a red dye. See Scott, "A Handbook" Appendix p 513.

Calcutta. The working of these forests, he thought, if controlled by government would prove a productive source of revenue, Salt however, seems to have been one of the most important manufactures of Tavoy. "This article," wrote Maingy, "may be procured here to almost any extent; under the late government about 200 coyans⁽¹⁾ are supposed to have been manufactured annually. Every manufacturer could make 1000 or 800 but never less than 500 viss and paid 50 viss per annum to the king of Ava and 10 to the meywun and his subordinates. Each pot in which salt is manufactured produces about half a viss of good, but one third if otherwise. It is computed that three men will make about one coyan of salt in a season at an expense of Rs $2\frac{1}{2}$ per 100 viss or Rs 40 a coyan. It is my intention to levy on this as on all other articles the produce of the country, a duty of ten per cent about equal to the established rate under the Burmese government, and of course free from exaction and oppression."⁽²⁾ The karens of Tavoy paid the same tribute as was levied on the tribes of Mergui but the Salon hardly ever visited the province.

The gambling, opium and liquor farms in Tavoy were also monopolised by Chinese, but the birds nest farm was open to any bidder. In 1825, the import and export duties

(1) A coyan was the Burmese measure consisting of 100 baskets of paddy. Bengal Sec. and Pol. Cons. 27th April 1825 No 3.

(2) Selected correspondence, Tenasserim p 25.

at Tavoy as at Mergui did not produce much and the province was only visited by a few junks and prows which traded chiefly with Mergui, Ye, Martaban and Rangoon but although trade showed signs of revival, Maingy did not expect to derive any considerable amount from it for some time to come.

The currency of Tavoy was similar to that of Mergui, though tin pice were more abundant, forty of them being given for a rupee. All the earliest reports on Tavoy testified to its superiority over Mergui in fertility of soil and general productiveness. The first report on the province compiled by Lieutenant Low in November 1825, pointed out (1) that historically also, Tavoy was of more importance. Siam had conquered the province at the close of the 13th century but the Tayovans had shaken off the Siamese yoke and had been governed by an independent prince until the second Siamese invasion in about 1325-50 A.D. (2) and even then its dependence upon Siam seems to have been merely nominal. The English according to Lieutenant Low recognised its independence in 1753, (3) and it was not till 1760 (4) that the Burmese gained possession of it. From that time

(1) Bengal Sec. and Pol. Cons. 27th April 1826 No 8.

(2) Anderson op. cit., Introduction p 3.

(3) Idem.

(4) The Burmese under Alaungpaya had captured Tavoy in 1760 but Siamese raids still went on and homage was paid to Siam by Tavoy from time to time. See Harvey - "History of Burma" pp 241 and 272.

onwards it was a frequent cause of war between Burmese and Siamese, and many of the Talaing inhabitants had been carried away to Siam. Maingy's description of the fort ran as follows :- "Tavoy", he wrote, "with the exception of facility for shipping and as a place of strength, is at present in every other respect superior to Mergui. The Fort consists of two walled enclosures distant from each other from 5 to 800 yards. The extent of the inner wall is about $2\frac{1}{4}$ miles built entirely of bricks which are piled on each other without cement of any kind. The outer walls enclose only the north and west faces.. Nearly the whole of the population reside within the Fort and the greatest proportion between the walls. The lower and middling classes appear the same, mild, obedient, inoffensive people as those of Mergui, and are equally attached to us. There are however among them some desperate gangs of thieves, but I trust that when I have established an efficient police and drawn up my Regulations for conducting it, that my endeavours to root them out will be attended with success."⁽¹⁾

In the meanwhile, Fenwick was trying to introduce into Martaban and Ye some degree of law and order, under the guidance of Crawford. The British portion of Martaban was from a political and administrative point of view, the most important of the acquired provinces. The Burmese had always looked upon the province

(1) Selected Correspondence, Tenasserim p 23

of Martaban as the military key to their territories, ⁽¹⁾ for it commanded the routes into Siam on the east, and to the valleys of the Sittang and Irrawaddy on the west. It was the chief point of attack of Siamese and Talaings, and thus the British commissioners in Ava had urged the necessity for its acquisition. Without it, the possession of Mergui and Tavoy would have been futile, for it rounded off the British possessions on the north, and was the strategic centre of the Tenasserim provinces. Although the Salween river could be easily crossed, and the frontier needed a strong force for its defence, the possession of eastern Martaban gave to the British the rich teak forests of the Thoungyi and opportunities for opening up communications with China and the Lao States.

Martaban was essentially a Talaing province and its history is a record of many attempts to shake off the Burmese yoke. Every unsuccessful attempt was followed by a large emigration to Siam, and Fenwick on a rough calculation estimated that about 40,000 Talaings must have emigrated into Siam within the fifty years prior to 1826. ⁽²⁾ This constant emigration added to the fact of continual war between Burmese and Siamese caused the ruin of many old towns like Martaban and Ye.

The province of Martaban under the Burmese included the

(1) Bengal Sec. and Pol. Cons. 30th June 1826 No 21 Letter from J. Crawford to Government of Bengal dated 15th April 1826. Ibid 30th June 1826 No 29.

(2) Bengal Sec. and Pol. Cons. 1st June 1827 No. 66 Memoir on Martaban dated 5th Feb. 1827.

small province or district of Ye.⁽¹⁾ According to Lieutenant Low, it consisted of thirty-two petty districts, over each of which a chief called a sitke was appointed. "His duties" wrote Low, "were analogous to those of a British judge and magistrate in India,"⁽²⁾ thus the sitkes of Martaban were more important officials than the thugyis of Tavoy and Mergui. The only important towns in the province at the time of the British conquest were Martaban and Ye, though ruins were discovered at Moulmein, Wagaru and Amherst. The soil of most of the province being exceedingly fertile, the banks of the rivers were thickly peopled and well cultivated. Thus Martaban, with Tavoy, had always been the granary of the Burmese Empire.

The town of Martaban which the Burmese still retained by the Treaty situated below the confluence of four rivers which ran into the Salween and built at the foot of a small range of hills, contained only about 9000 inhabitants on Fenwick's arrival.⁽³⁾ The population consisted of Talaings, Burmese, Chinese and a few Musulmans, but many of the Burmese and Talaings emigrated daily into British territory on the east bank of the river, and this fact helped on the rapid

(1) Bengal Sec. and Pol. Cons. 27th April 1826 No.8

(2) Ibid, Continuation of same letter.

(3) Bengal Sec. and Pol. Cons. 1st June 1827 No.66, dated 5th Feb. 1827.

decline of the town.

Not only from Martaban, but from all the adjoining towns and districts was there a rapid influx of inhabitants into British territory and this rapid immigration enhanced the difficulties of administrators. The original Talaing inhabitants had proved peaceable and law-abiding, but the new immigrants were otherwise, and murder and theft which were almost unknown during the first few months of British occupation, began to prevail. (2) The first big task before Fenwick therefore, before any measures could be undertaken for the collection of revenue, was to put down with a firm hand the growth of crime and concentrate on the defence of the frontier against Burmese bandits.

Had not the province been in so unsettled a state, Fenwick could have, from the very beginning, realised a large revenue. The fertile districts abounded with rice, and the other productions consisted of cotton, timber, oil, sticklac, bees wax, cardamams, betel nut and indigo. Black pepper was also grown by the Karens. An estimate of the revenue derived by the Burmese government could not be obtained, but the chief taxes in the province were a tax of ten per cent on grain and fruit trees, and a capitation

(1) Ibid 30th June 1826 No 21. Letter to G. Swinton from Crawford, dated 15th April 1826.

(2) Bengal Sec. and Pol. Cons. 1st June 1827, No. 66, dated 5th Feb. 1827.

tax of twenty-five ticals per year. This latter demand⁽¹⁾ was sometimes raised to one hundred ticals.

Besides these taxes, all the other methods of extortion practised in Mergui and Tavoy prevailed here. Forced labour and debtor slavery were also common, and free labourers were scarce. "The facility" wrote Fenwick, "with which the inhabitants can supply themselves render them averse to continued labour which renders the performance of any public work a matter of difficulty and the hire of the labourer is very high in proportion to the cheapness of⁽²⁾ the necessary articles of consumption. The other sources of revenue were similar to those at Mergui and Tavoy, and were derived from gambling and liquor farms.

The tical, as at Rangoon, was current in Martaban and consisted of small pieces of silver of unequal value and much debased, but there was a great lack of copper and tin coins the need for which was much felt by petty traders.

(1) Idem.

(2) Idem.

B ADMINISTRATIVE MEASURES IN THE TENASSERIM PROVINCES PRIOR
TO THE AMALGAMATION OF MERGUI AND TAVOY WITH MARTABAN AND YE

Maingy's first act on the day after he had taken over civil and political charge of Mergui was to issue a proclamation to the inhabitants promising them protection, liberty and good government under the British. He reported that the proclamation was received with general joy and all ideas of quitting Mergui were abandoned. The proclamation ran as follows :-

"Inhabitants of Mergui"

"The King of Ava by his unprovoked aggressions and extravagant pretensions having forced the British Government to invade his Dominions one of its first acts was to take possession of these Provinces. But it is against the King and his arrogant ministers, and not against the people of Ava that the English nation is at war, and in proof of this fact, the Right Honorable the Governor-General of British India has resolved upon affording to you the inhabitants of these Provinces, the benefits of a civil government under the superintendence and direction of the Hon'ble the Governor of Prince of Wales Island.

"I hasten then to acquaint you that I am deputed from Prince of Wales Island with instructions to assume charge of these provinces and to provide them with a Civil and

Political Administration on the most liberal and equitable principles.

"Inhabitants of Mergui."

"Rest assured that your wives and children shall be defended against all foreign and domestic enemies. That life and property shall enjoy every liberty and protection, and that your religion shall be respected and your Priests and religious edifices secured from every insult and injury. Proper measures shall be immediately adopted for administering justice to you, according to your own established laws as far as they do not militate against the principles of humanity and natural equity. In respect to revenue and all other subjects your own customs and local usages shall be taken into consideration; but the most free and unrestricted internal and external commerce will be established and promoted.

"All that is required from you is to aid me towards giving you peace, order and happiness by each inhabitant returning to his usual occupation, by your respecting and cheerfully obeying all such as may be placed in authority over you, and by your discountenancing and pointing out wherever necessary, the seditions and evil disposed and the enemies of the British Government.

"Lastly, I wish it to be clearly understood that access at all hours and all places will be afforded by me to any, even

to the present inhabitants who may desire to see me upon business.

Mergui 29th September, 1825.

(Signed) A.D. Maingy,
Commissioner for the provinces
of Tavoy and Mergui. (1)

He then proceeded to take steps for the security of the province from Siamese attacks, no settled or successful government being possible as long as the inhabitants remained in terror of the invasions of their inveterate enemies. He wrote to various Siamese chiefs at Bangkok, and in the frontier states, informing them of his arrival at Mergui, requesting a termination of all attacks and 'unfriendly acts', and proffering them British friendship and commerce. (2) The chief of Ligor was asked to use his influence with the Court of Siam to obtain the release of the 1600 Burmese captives carried away by the Siamese, (3) and by April 1826, Maingy was able to report to Fullerton that, owing chiefly to the exertions of Major Burney the British envoy to Siam,

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- (1) Bengal Sec. and Pol. Cons. 27th April 1826, No.14
Also Selected Correspondence, Tenasserim, pp 15-16.
The copy of the Proclamation in this printed volume is dated 30th September, 1825, which was most probably the date on which it was issued to the inhabitants, the 29th September being the date of Maingy's arrival at Mergui.
- (2) Bengal Sec. and Pol. Cons. 27th April 1826. No.14
Enclosures 3-5.
- (3) Ibid. Enclosure 4. See also above, Chapter I p

(1)
503 Burmese captives had been sent back to Mergui.

After a week at Mergui, during which he was busy collecting information about the former mode of government and undertaking measures for the establishment of military outposts along the frontier, Maingy sailed for Tavoy appointing Captain Briggs of 13th Regiment Madras Native Infantry his first assistant, to take charge of Mergui,

(2)
The instructions sent to Briggs give us an insight into the wisdom and foresight of the man who was to lay the foundations of British administration in Tenasserim. In requesting Briggs to have the palace at the city of Tenasserim repaired for the stationing of a small detachment of sepoys, Maingy wrote :- "The former Raywoon (Yewun) of this place has applied for leave to fix his residence there, which I have readily assented to, as he will most probably collect a great many followers, and his services may hereafter be made useful, besides he is conscious that the former system of extortion and forced deliveries will no longer be permitted, and I must confess that the same feelings of apprehension do not exist with me as have been

(1) Selected Correspondence, Tenasserim, p 38

(2) Selected Correspondence, Tenasserim pp 1-2 dated 8th October 1825.

entertained here regarding the employment of Burmese formerly in authority; precaution must of course be taken to check all (undue) influence and authority which they may attempt to

(1) exercise." Maingy thus grasped from the very beginning of his administration, the important fact, that, if the new government was to be a success, it would have to employ as much native aid as it possibly could, and work along the simple lines of former custom while at the same time, purging that custom of its abuses.

On his arrival at Tavoy on 13th October, he issued a proclamation similar to the one he had distributed in Mergui, with similar results, the inhabitants being especially pleased with the clause regarding free access to the commissioner or chief authority in the province. (2) In the interval between the conquest of Tavoy in April 1825 and Maingy's arrival, no settled form of administration had been established, Colonel Bishop the commanding officer of the troops in occupation finding it extremely difficult, amid the general confusion, (3) to select trustworthy officials or redress grievances.

By the end of October, therefore, Maingy in conjunction with

(1) Idem p 2

(2) Selected Correspondence, Tenasserim p 23 Letter to Fullerton from Maingy, dated 22nd October 1825.

(3) Idem. Colonel Bishop was in charge of Tavoy on Maingy's arrival and had won a reputation for humanity and justice.

Fullerton set to work to draw up rules and regulations for the administration of justice and police in the provinces of Mergui and Tavoy. Neither of the two men, knew at the time what the ultimate fate of the provinces was to be or under which presidency they were to be placed, but they strove to lay down simple rules for the guidance of local officials, and to preserve as much of the Burmese village system as they possibly could, while at the same time avoiding sudden innovations and the rigid technicalities of the more advanced systems of Bengal and Madras.

Fullerton visited Mergui and Tavoy in January 1826, and the letters to Lord Amherst and the Government of Bengal written after his visit, contained valuable suggestions for the new administration. ⁽¹⁾ In these letters he pointed out the impracticability of subordinating the judicial systems of Mergui and Tavoy to the jurisdiction of the Court of Judicature at Prince of Wales Island because of the necessity of making the commissioner of the provinces a member of the council of that island, and because of other difficulties arising out of the employment of fines and the trial of native and European subjects. ⁽²⁾

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No. 25 Letter to Lord Amherst from Tavoy dated 14th Feb. 1826, with enclosures.

(2) Idem Contrasts Tenasserim with Malacca and Singapore.

In fact, the Court of Judicature at Prince of Wales Island could not possibly have exercised any such jurisdiction without over stepping the powers granted to it by charter, while the Supreme and Sudder courts of Bengal were obviously vested with the necessary controlling jurisdiction. (1) Before a discussion of the nature of this controlling jurisdiction however, it would be well to examine the early rules and regulations drawn up by Fullerton and Maingy, for they form the basis of many of the subsequent administrative codes and manuals of Burma.

To begin with, there was no separation between the executive and judicial functions of government, and European and native officials were endowed with both. "I have followed" wrote Fullerton to Lord Amherst, "the forms and rules generally adopted at the outset in newly acquired countries where the state of society and ideas of the people are not so far advanced as to admit of the more perfect system of complete separation between the great executive and judicial functions of government. The following is the outline :- The provinces of Mergui and Tavoy being placed under charge of a civil commissioner,

(1) Idem. Fullerton here discusses the nature of appeals from Tenasserim to the Sudder Courts of Bengal.

the powers of that officer will extend to the civil as well as to the Political department, to all except the military. The military will act only as in our settled provinces under his order, under written requisition for defense against external aggression and internal insurrection and tumult. The establishment of the commissioner will consist of an European deputy and assistants, covenanted servants of some one of the presidencies.⁽¹⁾ The commissioner will act therefore, at the head of the Revenue, Judicial and Political departments. He will be the chief judge and collector as well as political agent and his deputy and assistants will act subject to him in all⁽²⁾ Fullerton then went on to discuss the employment of Burmese officials and gradations of jurisdiction. The commissioner was to be the highest judicial officer on the criminal as well as the civil side, the next judicial authority was the assistant residing at the same station with the chief commissioner, and he was also to act as Register to the

(1) Maingy and his successor Blundell were both originally civil servants of Prince of Wales Island, but most of the assistants appointed in Tenasserim were military officers of the Madras and Bengal regiments. e.g. Briggs, Sherman and Leslie.

(2) Idem.

commissioner's court. The deputy commissioner who was not appointed till February 1828 was also to be given certain (1) important criminal and judicial powers.

Then the native officials to be retained were the sitke, the myothugyi, the yua-ok and the thugyis or chiefs (2) of districts; and they were all to have both police and petty civil powers, while the thugyis and myothugyis were to be entrusted with revenue functions as well.

Later on during the course of Maingy's administration, an akunwun or head revenue clerk, receiving from Rs 60 to Rs 80 per mensem was also appointed for each of the (3) districts of Amherst, Tavoy and Mergui. During the early stages of British administration, neither Fullerton, nor Maingy appear to have laid down strict lines of differentiation between the grades and functions of (4) sitkes, myothugyis and yua-oks or "head thugyis" for the powers of these officials under their own government had been confused and undefined. Fullerton had

(1) See below p 129-30

(2) Bengal Sec. and Pol. Cons. 27th April 1826, No.53
"Rules and Regulations for the courts held by native officers of government".

(3) See Appendix.

(4) Bengal Sec. and Pol. Cons. 27th April 1826. No. 25
To Lord Amherst from Fullerton dated 14th Feb. 1826

however, after his visit to Mergui and Tavoy in February 1826, expressed a desire to retain the sitke, whose functions under the Burmese had been primarily of a police and judicial nature, as the "head native servant under the European authority in revenue and police."⁽¹⁾ This suggestion was adopted, but towards the end of Maingy's administration in 1832-3 the sitkes revenue powers appear to have been handed over to the akunwun, although he was still retained as the head native judge, and police official of a British administrative district.⁽²⁾ The myothugyi who appears to have been a higher grade thugyi in charge of the police of a town, or several circles varying from two to fifty-four villages, was given a salary ranging from Rs 40 to Rs 50 per mensem.⁽³⁾ By 1833 however, provincial police officials called goungeyous receiving from Rs 50 to Rs 70 per mensem, were also employed and they appear to have later become more important officials than the myothugyis, who were then

(1) Bengal Sec. and Pol. Cons. 27th April 1826, No. 25 Letter to Lord Amherst from Fullerton, dated 14th February 1826.

(2) See Appendix.

(3) Bengal Rev. Cons. 25th March 1844. No. 16 Major Broadfoot's Report.
See also Appendix.

confined to the management of the town police alone. Most noteworthy of all native officials however were the thugyis who were made the backbone of the police, revenue and judicial systems of British Burma. Fullerton, in a letter to Maingy early in 1826 instructed him to ensure the attachment of thugyis by good salary and good treatment, and to look to them as the first men of the state, for "the maintenance, the very existence of government, rested on the good faith and good conduct of these men." (1) Maingy's measures in this respect will be considered later.

The commissioner's civil jurisdiction was defined as follows :- He was to attend court every Monday and Friday, or oftener if necessary, and to preside as sole judge. If unable to attend, he could delegate his power to the (2) deputy commissioner or to his assistant. The thugyis of the several districts should, if required, attend the commissioner, and assist him with their advice in all his proceedings. A Burman law officer to expound Burmese law and take down notes of evidence was also to be present (3) and men called 'Pasodas' to administer oaths. The

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No. 39. Fullerton's Observations on Maingy's Report on the Administration of Justice and Police. Section 20.

(2) Ibid, No. 14. Enclosure No. 9 B. Sections 1-2.

(3) Idem. Section 3.

thugyis of those districts in which any crimes had been committed should be the public prosecutors when no private ones existed, and a stated number of peons were to be always in attendance. The commissioners decision was to be final in all cases where the amount or value of the thing decreed did not exceed Rs 10,000.⁽¹⁾ He was to be guided in his decision by "the existing native laws and ancient customs of the islands so long as they were not opposed to universal and acknowledged principles of natural justice", and for the time being no sentence exceeding twelve months hardlabour or twenty-four stripes⁽²⁾ was to be carried into effect. In drawing up rules for the evidence of witnesses and the award of punishment, Fullerton pointed out that the practice in different parts of British India varied. In cases where Mohammedans were involved the regulations of Bengal and Madras required a Futwa on the whole case, but in the Bombay presidency the judge determined the fact of guilt or innocence from his own view of the evidence, and applied the Mohammedan law only to the punishment.⁽³⁾ In Tenasserim, reference to

(1) His jurisdiction was extended later. See below p

(2) Bengal Sec. and Pol. Cons. 27th April 1826. No. 54 Rules for the Commissioner's Court, Section 8.

(3) Ibid, No. 39.

existing laws and customs was essential, but the practise of torture, mutilation and other cruel methods of punishment had to be abolished. Capital sentence could not for some time be carried into execution, and those so sentenced had to remain in safe custody. The commissioner of the Tenasserim provinces was not given the power of carrying into execution a pronouncement of death till February 1829. Up to that date, the execution of criminals had to be confirmed by his senior, Sir Archibald (1) Campbell.

Section 12 of these judicial regulations dealt with the important question of admitting pleaders into the courts. It was laid down that in all causes the respective parties in them should plead on their own behalf, it not having been usual under the Burmese to employ native lawyers for this purpose. Fullerton's scathing condemnation of them was worded thus :- "I have long made up my mind on this point. The admission of licensed vakeels, produces much evil and endless litigation. It establishes in the community a certain class who, must live by litigation, and who have a direct interest promoting it The employment of pleaders makes the pursuit of justice a science which ought to be simple enough for the comprehension

(1) Bengal Sec. and Pol. Cons. 23rd Feb. 1829. No. 3.

of all concerned. If the plaintiff therefore satisfies the court he cannot appear, he may send a person for him, in whom he can confide, a relation, if possible" ⁽¹⁾

This was an exceedingly wise provision and it saved much time and prevented the accumulation of arrears in cases. In those early days of British rule people unused to summary and efficient justice thronged in from the surrounding villages with trifling complaints, and had pleaders been allowed, an opportunity would undoubtedly have been offered to adventurers. Both Maingy and his successor Blundell resisted the introduction of lawyers for as long as they possibly could, but from 1840 onwards, the growth of the mercantile community made the influx of that class practically inevitable. Appeals were to lie from the Commissioner's decision to a controlling court which was to have the power to "receive petitions against all acts commissions or omissions of the commissioner or any of the subordinate judicial authorities", ⁽²⁾ but during Maingy's administration, we do not come across any important appeals, though the growing mercantile class often complained against his successors. Half yearly reports including the complaints, answers, evidence and the substance of the decrees, were

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No. 54.

(2) Bengal Sec. and Pol. Cons. 27th April 1826. No. 53
Process of the Commissioner's Court, Section 35.

(1)
to be sent to the supreme government. We shall notice that up to 1833, Maingy corresponded with the Secretary to the Government of Bengal, Secret and Political Department on all judicial matters, and his returns were usually dealt with by the Judicial Department of that government, but after 1833, the Commissioner of Tenasserim was placed under the superintendence of the Sudder Dewanny and Nizamut Adawluts on all matters connected with civil and criminal

(2)
justice. Then in accordance with former custom it was laid down that, in all cases in which the amount sued for by the plaintiff was disallowed in part, or in whole, the plaintiff should pay costs at the rate of ten per cent on the amount disallowed and the expenses of witnesses for the other party, and in all cases where the parties appeared to have acted from "vexatious or litigious motive" the commissioner could levy as much as twenty per cent on the
(3)
amount of the suit.

The criminal powers of the commissioner in summary cases was declared to extend to all offences punishable by three dozen stripes or one years confinement and hard
(4)
labour, or a fine of Rs 100, but in regard to crimes of

(1) Ibid, Section 29.

(2) Bengal Revenue Cons. 27th October 1834. No. 21. Instructions sent to Blundell by Vice President in Council of Bengal.

(3) Bengal Sec. and Pol. Cons. 27th April 1826. No. 53 sections 21 and 22.

(4) Ibid. Regulation 7. Section 2.

magnitude, he could pass sentence of hard labour and imprisonment for fourteen years or hard labour for life, but in the latter case, as in cases of capital punishment, the sentence had to be sanctioned by the controlling authority.⁽¹⁾ Then the commissioner was to hold regular monthly sessions for the trial of all crimes and offences exceeding a certain degree,⁽²⁾ but because of bad communications and the unsettled state of the new government, Maingy could not hold his 'jail deliveries' at Mergui, Tavoy and Amherst oftener than twice a year. In his last report dated 31st July 1833 however, he strongly advocated⁽³⁾ the necessity for a quarterly sessions.

In the original regulations drawn up by Fullerton, the assistant residing at the same station as the commissioner was also given civil and criminal powers and he was to act as 'Register' to the commissioner's court. He was to be the lowest authority in the province with magisterial powers and by the earliest regulations, he was allowed to punish by imprisoning for three months with hard labour and placing

(1) Ibid section 10.

(2) Ibid section 3.

(3) Selected Correspondence, Tenasserim, p 106.

(1)
in the stocks. His powers later expanded with those of the commissioner, and as he resided at the chief station of the province his judicial powers were more extensive than any of the other assistants, though not as extensive as those of the deputy-commissioner

The native officials of government who were given civil powers, the sitke, the myothugyi, the yua-ok and (2) thugyis were strictly forbidden to decide cases at their own houses, rules were drawn up for their guidance, and they were given salaries. (3) They were empowered to hear and decide all petty suits for debt or personal property which might be referred to them by the commissioner; but they were not required to record in writing either the evidence or decisions but were to send in to their superior officers a monthly register of cases. They were not to decide suits involving claims to land or any matter concerning caste, marriage or inheritance which required (4) reference to the Burman law expounder.

Next to the administration of justice, the regulations laid down rules for the establishment of an efficient police

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No. 53. Regulation 3. Rules for the Register's Court.

(2) Idem. Rules and Regulations for the courts held by native officials of government.

(3) Ibid, 27th April 1826. No. 39.

(4) Ibid, No. 53. Section 7.

(5) ~~Selected Correspondence, Tenasserim. p. 107.~~

calling upon each of the male inhabitants in turn to
(1)

aid him. Then he was instructed to keep a register of all persons in the callage describing the name, age, country and occupation of each, and a register of births marriages and deaths to be forwarded every six months
(2)

to the thugyi. It was decided that the thugyis of districts should be graded and given fixed salaries in order to ensure efficient service and the prevention of corruption. On 23rd April, 1826,
(3)

therefore, Maingy reported to Fullerton that he had retained all the thugyis employed by the former government, but he had divided them into three classes, viz :- first class thugyis, superintendents of several districts, i.e. circles, second class thugyis, in charge of one district or circle containing several villages. He also forwarded a map showing
(4)

the divisions he had established. Later on the fixed salaries paid to thugyis were abolished and they were paid by a commission on their revenue collections. This "gradation" of thugyis established by Maingy was considered by him the best method of dealing with the numerous groupings

(1) Bengal Sec. and Pol. Cons. No. 55 Section 5.

(2) Ibid, Section 6.

(3) Selected Correspondence, Tenasserim, p 36.

(4) Selected Correspondence, Tenasserim, p 36. Letter to Fullerton from Maingy.

of village tracts and officials which had existed under the Burmese government. His first and second class thugyis undoubtedly corresponded with the myothugyi who, under the Burmese Government had possessed hereditary authority over extensive village tracts, and who had tyrannised over the petty headman in charge of each village while his third class thugyi in charge of one village is analogous to the headman or 'ywa-thugyi' of a Burmese village to-day. The hereditary succession of circle thugyis was abolished; they and the headmen were to be in future appointed by government, and the whole scheme was to be especially useful for purposes of revenue collection.

Unfortunately, Maingy's successor in Tenasserim and later administrators in Lower Burma, tended to enlarge the village tracts and increase the number of circle thugyis who were much better paid and less acquainted with the villages within their charge than were the headmen whom they bullied. In 1890 after the annexation of Upper Burma however, Sir Charles Crosthwaite, Chief Commissioner of Burma laid it down in a famous minute ⁽¹⁾ that every village or group of small villages within sight of each other should have one headman, while he also dwelt on the evils of subordinating the smaller headmen to 'taik' or circle thugyis. His suggestions were subsequently enforced in Lower Burma also, but in 1917, there appears to have been a slight reversal of this policy, in order to raise the ⁽²⁾ status and enlarge the jurisdiction of village headmen.

(1) Upper Burma Village Manual, Rangoon 1899. Minute by Sir Charles Crosthwaite dated 6th Oct. 1890.

(2) Grant-Brown. "Burma as I saw it" Note A p 203.

As the revenue administration of the provinces was so closely bound up with the police system, it was obvious that the thugyis had to be made revenue collectors within the area of their jurisdiction. The commissioner had general charge of the Revenue, and his deputy and assistant were to act under him as he directed. ⁽¹⁾ Later on certain other native officials called Akunwuns or head revenue clerks were employed to superintend the revenue work of the thugyis. For the time being, however, Fullerton ordered them to collect the following taxes :- first one tenth of the produce of all land within the province. For some time this tax was levied only on grain, cardamums, sapan-wood, tobacco, oil-seeds, betel-nut, cotton, rattans, yams and sugar. In the absence of surveyors, the thugyis were required to make an estimate of the number of land-holders and extent of land held by each, ⁽²⁾ and to find out the quantity of paddy sown in a given area, as well as the proportion of the produce to the seed sown. When the season was far advanced, the thugyi was to estimate the approaching harvest and when the crop was cut, and the grain beaten out, it was to be taken to the stockade or village or which the cultivators were the regular inhabitants, measured, and the

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No. 39. Outline of Rules for collecting the Revenue.

(2) Ibid, No. 40. Rules for collection.

tenth levied for government. It was hoped that payment in kind might be commuted for a money payment assessed on units of land but this measure was not introduced till 1843. Secondly, a tax of ten per cent was to be levied on the following articles brought into the towns of Mergui and Tavoy or into any town or port from the forests and islands :- salt, bees-wax, ballachoung, ⁽¹⁾ dammar, ⁽²⁾ torches, sea slug, tortoise-shell and amber-gris. The collection of birds' nests was to be farmed, the tin mines were to be worked by government and all elephants' tusks were to be purchased by government at a fixed price.

Thirdly, the exclusive right of retailing the following articles was farmed out by government, viz :- opium, toddy, arrack and siri, ⁽³⁾ and government reserved to itself the ⁽⁴⁾ right of permitting or prohibiting gambling.

Rules and Regulations were laid down for each of the above-mentioned farms, as they were to form a productive source of revenue to government for many years to come. ⁽⁵⁾

(1) A condiment composed of prawns, sardines and other small fish, allowed to ferment and then smashed up with salt, The Malays exported it to West India. Hobson Jobson s.v. balachoung.

(2) Dammar. The resin yielded by a pine tree called "Thit min" by the Burmese. See Scott's Burma. A Handbook. p 509.

(3) Betel-leaf

(4) Bengal. Sec. and Pol. Cons. 27th April 1826. No. 39.

(5) Ibid. Nos. 41-5.

Fullerton, in a letter to Lord Amherst, discussed at great length the arguments for and against the maintenance of gambling houses, ⁽¹⁾ and we know that Maingy detested the practice and fully expressed his condemnation of it in his last report, though he was obliged to allow it during his tenure of office. ⁽²⁾ The chief arguments put forward by those who advocated the necessity for establishing a gambling farm at Prince of Wales Island had been that since the vice was inherent in the Chinese and Malay population, a prohibition of it would only lead to bribery and illicit gambling, and as the practice could not be repressed ⁽³⁾ it should be controlled by government. In criticism of these arguments Maingy wrote :- "I am however not ashamed to own that my English education and feelings render me repugnant to the idea of gambling shops being maintained under the sanction of Government. I fear that in every examination of this subject, the mind of the Public officer is insensibly biassed by the consideration of the large and easily collected revenue of which such farms are the source. Some of the arguments also cited in support of such a measure at the Settlements to the Eastward are not quite applicable to the inhabitants of these Provinces who

(1) Bengal Sec. and Pol. Cons. 27th April 1826. No. 25. dated 14th Feb. 1826.

(2) Selected Correspondence, Tenasserim. p 108.

(3) Ibid p 62. Letter to G. Swinton, Secretary to Government of Bengal from Maingy, dated 1st May 1827.

are not so addicted to the vice of gaming as the Malays and Chinese, and who do not consist of unsettled vagrant and occasional visitors in the same manner as a great proportion of the population of our settlements to the Eastward. Besides, the Burmese Law and the former Burmese Government prohibited gambling, and in one Code of Laws in my possession, I find the evidence of a gambler declared to be inadmissable in a Court of Law" (1) He then went on to say that the Burmese Priesthood at Tavoy had appealed to him to abolish the gambling farm, but he had not done so, and hoped that even if he had to continue the farm, the money might be devoted "to municipal objects or purposes of local improvement rather than received directly by the state." (2)

The rules for the gambling farm forbade any of the troops, artificers or others belonging to the European inhabitants from entering a gaming house; guards even being employed to prevent their entrance. Three houses were allowed in Mergui and Tavoy, they were to be open from daylight till nine o'clock at night, and the renter of the farm was not to receive more than ten per cent from winners. Two houses were allowed in Mergui and Tavoy for the retail of opium, and prices were fixed and rules for importation and exportation drawn up.

(1) Selected Correspondence, Tenasserim, p. 62.

(2) Ibid.

When Maingy arrived at Mergui and Tavoy the Chinese were the chief renters of these farms and for the first few months after his arrival the combination among them at Tavoy was so strong, that, in order to secure an adequate revenue he was obliged to undertake the direct management of the farms. (1)

On 9th June 1826 he reported that he had disposed of all the farms at Tavoy for June and July at the rate of Rs 3,500 per month, a sum which was more than double the amount they had produced on his arrival at Tavoy while at Mergui there had been a rise from Rs 774 to Rs 1000 per month. (2)

Still, the military disbursements consisting of the pay and allowances of two regiments, a brigadier, his staff, a paymaster and a commissary amounted to almost Rs 30,000 per mensem, (3) and when a third native regiment, the 32nd Madras Native Infantry, arrived in June, at Fullerton's request, Maingy was obliged to obtain from Crawford, at Rangoon, the extra money he urgently needed, (4) because the supply from Penang, owing to the difficulties of navigation during the south-west monsoon, could not be regular or frequent. In May 1826, the revenue statements of receipts

(1) Selected Correspondence. Tenasserim, p 40. Letter to Fullerton from Maingy.

(2) Ibid p 42.

(3) Selected Correspondence, Tenasserim. p 39. Letter to Fullerton from Maingy, dated 23rd April 1826.

(4) Ibid. p 41.

and disbursements for the months back to the preceding February were sent to the Accountant General at Calcutta, and from that month onwards, the reports to Calcutta became numerous and lengthy, and every little detail of expenditure had to be reported. On the 1st July 1826, the Madras rupee was established as the standard coin of the province to suit the convenience of the Madras Sepoys, who were unwilling to receive the Sicca rupee at its intrinsic value. (1)

Finally, rules and regulations were drawn up to deal with the evil practice of debtor slavery. Fullerton gave much time and attention to this problem and after detailed correspondence with Maingy and close investigation of the causes and nature of the custom, (2) rules, modelled on those issued at Prince of Wales Island in 1820 were drawn up, first, to ameliorate the condition of slaves and second the bring about the gradual extinction of slavery. The substance of these rules was as follows :- no contract binding a person to serve as a slave because of a sum borrowed was to be valid unless registered before the

(1) Selected Correspondence, Tenasserim, p 48. To Swinton from Maingy dated 26th September 1826.

(2) Bengal Sec. and Pol. Cons. 27th April 1826, No. 50 Letter to Maingy from Fullerton dated 23rd January 1826. Questions and answers regarding slavery.

(3) Ibid, No. 52. Regulations signed by Maingy dated, 10th February 1826.

commissioner, his deputy or assistants; no one under sixteen years of age could enter into such a contract, and the nature and degree of the service due from slave to master was to be specified. (1) A most important and necessary clause prohibiting parents from mortgaging the services of their children was inserted, and all forms of cruelty or compulsory transfer of slaves from one master to another were forbidden. (2) In consideration of the fact that many children could not be supported by their parents, it was laid down that such children could, till the age of sixteen, bind themselves to work for a master in return for maintenance. To facilitate the gradual extinction of slavery, it was arranged that from the date of the proclamation, all slave debtors should be entitled to an allowance at the rate of two pice per day, to go in liquidation of the debt or sum borrowed, and on the extinction of the debt they were to be free; also, slave debtors who could pay the sum, or the balance of the sum originally received, were entitled to their freedom; these two clauses also applying to children over ten year of age and those

(1) Ibid. Clauses 1-2.

(2) Ibid. Clauses 2-5.

born in a state of slavery. So effective and wise were these rules that by May 1827, Maingy was able to report to the Government of Bengal that, consequent on the rise of wages and the increasing wealth of the country, the price of debtor slaves had risen from Rs 30 and Rs 40 to Rs 120 and Rs 180 and that almost all the slaves in the provinces of Mergui and Tavoy had succeeded in purchasing their freedom by the increased profits derived from labour which they were seeking on their own account.⁽¹⁾ From then onwards, he strove his utmost to abolish the old system of forced labour which he had been obliged to continue for a time owing to the scarcity of labourers, for he realised that the whole problem of debtor slavery was closely interwoven with the freedom and economic status of the labourer.

While Fullerton and Maingy were busily engaged in devising rules for the new system of government, Crawford was applying his energies to the task of selecting a new headquarters for the British administration of Martaban and Ye. In accordance with the terms of the Treaty of Yandabo, Rangoon was to be evacuated by the British troops on payment of the second instalment of the money

(1) Selected Correspondence, Tenasserim, p 63. Letter to G. Swinton from Maingy dated 1st May 1827.

(1)
indemnity due in May 1826, and it was urgently necessary that the British commissioners in Ava, Sir Archibald Campbell and Crawford should have a new capital. To quote Crawford's own words :- "We were on the point of surrendering Rangoon the town of Martaban was about to be given up, the site of a new provincial capital was to be selected at a moment's notice. Even a port to shelter our shipping was to be found. Our political and military frontier was to be determined, and an asylum was to be found for the persons and properties of the native inhabitants who had incurred the displeasures of their own government, who had followed an army to Pegu, and who had formed mercantile and other connections which peculiarly attached them to this quarter of India."..... (2)
Acting on his own initiative therefore, he left Rangoon on 31st March 1826, accompanied by Captain Studdert, the Senior Officer of H.M.'s Navy, Captain Hammond of the Quarter Master General's establishment, and Dr. Judson in order to make a survey of British Martaban and select a new station. (3) He sailed for a considerable distance

(1) Aitchison, Treaty of Yandabo. ii p. 34. Additional Article :- "Upon the payment of twenty-five lakhs of rupees, or one fourth of the sum total (the other articles of the treaty being executed) the army will retire to Rangoon. Upon the further payment of a similar sum at that place, within one hundred days from this date, with the proviso as above, the army will evacuate the dominions of the King of Ava with the least possible delay"

(2) Bengal Sec. and Pol. Cons. 30th June 1826. No. 24
Letter from Crawford to Swinton, dated 25th April 1826.

(3) Crawford. Journal. pp 357-8.

up the Salween river, noting the fertility of the land along its banks and the cotton and indigo fields of the Karen tribes, but finally decided to establish the new settlement at the mouth of the Salween river on the promontory of Cape Kyaikami. Hoisting the British flag on the chosen spot on 5th April he named the new town Amherst, (1) a name which the place retains to the present day. He then drew up a plan for the extent and divisions of the new town and harbour and on 6th April, issued a proclamation to the Talaings, Burmese and "other tribes of people" who might wish to settle, promising them grants of land and freedom (2) in trade and worship. In the absence of caste, no great difficulties were encountered in the town-planning scheme, and people were "to go and come, buy and sell, do and live as they pleased conforming to the laws," (3) but some provision was made for a European, a Chinese, a Talaing and a Burmese quarter, divisions which still exist in many of the towns of Lower Burma to-day. Crawford hoped that with the issue of 'location tickets' and increase of settlers that Amherst would develop into a large and flourishing seaport and he

(1) Bengal Sec. and Pol. Cons. 30th June 1826. No. 21. To Swinton from Crawford, dated 15th April 1826.

(2) Ibid.

(3) Ibid. Words of the Proclamation.

optimistically compared its natural advantages with those of Rangoon, which within seventy years of its foundation by the Burmese developed a considerable trade,⁽¹⁾ but although for about five years Amherst was the headquarters of the civil government of the Tenasserim provinces, it was soon outrivalled both as a port and centre of government by its neighbour Moulmein, which was more advantageously situated with regard to the interior, and in a more direct line of communication with Siam and the Lao States.

Crawfurd's bold act startled Lord Amherst and his council into a sudden realization of the responsibilities arising out of the impending evacuation of Rangoon, and the continuance of British rule in Tenasserim. The establishment of Amherst as a new headquarters was discussed at great length and in view of the uncertainty of the retention of the provinces it was generally regretted that "the settlement could not have been delayed till the proposal had been submitted to and fully considered by the government."⁽²⁾ The all important question of expense loomed large in the minutes and discussions on the

(1) Ibid 30th June 1826. No. 29. "Views and sentiments of a civil government of new territories".

(2) Bengal Sec. and Pol. Cons. 30th June 1826, No. 30 Minute by Harrington dated 30th May 1826.

future government of the provinces; the commander-in-chief found it extremely difficult to form any opinion about possible reductions in the military force because of lack of all information from good military authority, and he considered it impolitic to raise a native police or military corps while still awaiting the decision of the home authorities on the ultimate fate of the provinces. (1) On 14th April therefore a letter was sent to Crawford asking him to submit in detail his "views" and "sentiments" on the civil government of the new territory, requesting suggestions as to which of the presidencies could be entrusted with the charge of the new provinces, what form of government would be most suitable for them, and to what extent their revenues could support the new administration.

(2)
In a long and interesting letter Crawford expressed his ideas on the future government of the provinces. He pointed out that from a political, geographical and commercial point of view, the natural connection of the provinces lay with Bengal. By cession, he wrote, they were an integral portion of the British dominions, and until annexed by Act of Parliament to some other presidency must

(1) Ibid. No. 31. Minute by Commander-in-Chief, Lord Combermere.

(2) Bengal Sec. and Pol. Cons. 30th June 1826. No. 28 To Swinton from Crawford dated 12th May 1826.

continue subject to Fort William and the jurisdiction of the Supreme Court. The Governor-General alone, therefore, was "competent to frame regulations for the better administration of justice within them."⁽¹⁾

Geographically too, the new acquisition was more conveniently situated in regard to Bengal, than either to Madras or Prince of Wales Island. The voyage from Calcutta to Martaban took from twelve days to three weeks during the south-west monsoon, while Penang lay 11 degrees of latitude distant, and the difficulties of communication with it being enhanced by variable winds, ships coming north took one month to get to Tavoy alone.⁽²⁾ From a financial point of view as well, Bengal was better able to supply the provinces with funds for civil and military establishments and with stores and ammunition. Finally, Crawford held out every hope of an increase of revenue with skilful administration and development of the resources of the provinces, deprecating all projects of cession to Siam. The Siamese, he pointed out, did not deserve the provinces as the feelings

(1) Idem.

(2) Maingy took nearly one month to get to Mergui from Penang. On 27th August 1825 he reported damage to the Brig 'Minerva' while just north of Pulo Perah, and did not take over charge of Mergui from Captain Burman till 29th September 1825. See, Selected Correspondence, Tenasserim p. 1.

of the population were all against Siam and great umbrage would be given to the court of Ava by such a step; the "most plausible and least embarrassing plan" would be to create them into an independent kingdom under a Talaing chief if one of sufficient talent could be found, and thus avert the anger of Ava and please the inhabitants themselves. (1)

Crawfurd's report was read in circulation by the Bengal council and every suggestion he put forward was discussed and criticised. It was generally agreed that the maintenance of Amherst as the chief station in Martaban was necessary, but that no steps for forming an independent Talaing kingdom were to be taken till Crawfurd had returned from a mission to Ava where he would get an opportunity of sounding the sentiments of the Court on the subject. (2) Lord Combermere, the Commander-in-chief suggested that the military force of the province should consist of two regiments of European infantry of 600 men each, and three regiments of native

(1) Ibid. Last paragraph of letter.

(2) Bengal Sec. and Pol. Cons. 30th June 1826. No. 30 Minute by Harrington, dated 30th May 1826.

infantry of 800 men, one squadron of native cavalry and one company of artillery.⁽¹⁾ Then there was some difference of opinion about the status to be given to Maingy while Crawford was at Ava, but as all were agreed about the experience and talents of Sir Archibald Campbell, it was finally decided to place him in chief military and political control of Tenasserim with Maingy as his subordinate in civil affairs. Accordingly, a letter was sent to Crawford on 30th June, 1826, approving of the temporary maintenance of Amherst as a place of refuge for immigrants and a harbour for shipping, but as a precaution a clause was to be inserted in all location tickets⁽²⁾ providing for the possibility of evacuation by the British, while "all practicable attention was to be paid to economy in civil and military expenditure."⁽³⁾ On the same date,⁽⁴⁾ a letter was addressed to Sir Archibald Campbell vesting him with the chief military command and

(1) Ibid, No. 31. Minute by Lord Combermere.

(2) "Location ticket" was the term commonly applied by the officials in Tenasserim to a document which assigned a particular piece of land to a settler.

(3) Bengal Sec. and Pol. Cons. 30th June, No. 31.

(4) Ibid. No. 51.

political control of all the Tenasserim provinces and asking him for a detailed report on the amount of military force necessary for their defence, it being left to his discretion to select a station for the cantonments. The British commission in Ava appointed during the war to be dissolved on Crawford's departure for Ava on 1st September 1826. Instructions to this effect were also sent to Maingy in July, ⁽¹⁾ though he did not acknowledge receipt of them till 26th September 1826. ⁽²⁾ He was appointed civil commissioner for all the British provinces east and south of the Salween river and he was to extend to Martaban as he thought fit, the regulations drawn up by Fullerton for Mergui and Tavoy. He was directed in future to correspond directly with the Secret and Political department of the government of Bengal instead of with Fullerton, and was given much latitude in his new arrangements, provided he made economy a primary consideration.

(1) Bengal Sec. and Pol. Cons. 7th July 1826. No. 14. To Maingy from Swinton.

(2) Selected Correspondence, Tenasserim, pp 46-9. To Swinton from Maingy dated 26th September 1826.

3. MAINGY'S ADMINISTRATION OF THE TENASSERIM PROVINCES
JULY 1826 - JULY 1832.

During Maingy's commissionership of seven years, we witness the full working of the Non-Regulation system of government, that "mixed system into which the spirit of the regulations is infused in such a manner as to cause it to harmonise and blend itself with all that is good in the spirit of native institutions and to be respected in the local usages of the country."⁽¹⁾ Consisting of an executive composed chiefly of military officers with the exception of the commissioner, his assistant Blundell, and of the Master Attendants at the ports, it proved far less costly and elaborate than did the more highly organised systems of the Indian Regulation provinces, and yet it was by no means an essentially military government as was that of Sindh under Sir Charles Napier. In the Tenasserim provinces, as in Arakan, the civil and military authorities strove to be independent of each other, and although Maingy was obliged to recruit his assistants from the regiments stationed in Tenasserim, and seek the aid of the military authorities in establishing new measures of justice and police, he strongly combated all attempts at

(1) Kaye, "The Administration of the East India Company". p 43.

encroachment on civil jurisdiction by them. Sir Archibald Campbell exercised a general superintendence over the Commissioner's new arrangements but he appears to have given him much latitude in all civil affairs, and the only cause of friction between the two men arose out of the extent of the growing cantonments at Moulmein.

Although the Burmese paid the second instalment of the war indemnity in June 1826, Sir Archibald Campbell was obliged to remain at Rangoon till December 1826⁽¹⁾ in order to superintend the final embarkation of the troops for Calcutta. In the interim, however, he visited Martaban and during September 1826 accompanied by Campbell, Acting Staff Surgeon, he made a tour along the Salween frontier, and after a minute and personal examination of the ruins of the old Talaing capital of Moulmein decided to build on the same site his new military headquarters.⁽²⁾ The reasons he gave for his choice were its strategic position for the defence of the interior, situated as it was on the Salween a few miles below the confluence of the Gyaing and Ataran rivers, opposite the Burmese

(1) Bengal Sec. and Pol. Cons. 5th January, 1827 No. 19. dated

(2) Bengal Sec. and Pol. Cons. 20th October 1826, No. 4. To Swinton, dated 26th September 1826.

town of Martaban, and only twenty-eight miles from the sea, prophesying that as it was situated near fertile land, it would become an "ample depot for rice if failure of crops in India."⁽¹⁾ His predictions regarding Moulmein, unlike Crawford's hopes for Amherst, have materialized and the town is now the chief sea-port and centre of government of the Tenasserim division of Lower Burma, although till 1827, Maingy fixed his civil headquarters at Amherst, and although the Government of Bengal in 1833 considered making the latter the chief civil and military headquarters of Tenasserim. When Sir Archibald Campbell finally arrived in January 1827 to take charge of Moulmein, many of the cantonment buildings were ready for occupation, and round the forces were gathering a daily increasing population from the Burmese side of the river and the province of Pegu, and it was the circumstances arising out of this collection of people around the cantonments, that proved the chief bone of contention between civil and military authorities.

On receipt of his instructions, Maingy proceeded to carry into force in all the provinces the revenue judicial and police regulations drawn up by Fullerton. For administrative purposes, the provinces were divided into the three

(1) Idem.

districts of Amherst, Tavoy and Mergui, and at the towns of Amherst, Tavoy and Mergui resided an assistant to the commissioner. Fenwick was in charge of Amherst till his recall on 28th May 1827,⁽¹⁾ Blundell succeeded Briggs at Mergui in May 1826 and Lieutenant Buxton was placed in charge of Tavoy. The small province of Ye Maingy found in an exceedingly backward state, and with the valuable aid of Captain Henry Burney, who was appointed his first assistant in February 1827,⁽²⁾ he was able to improve conditions there, and Ye was later incorporated with the Tavoy district.

By May 1827 therefore, the civil establishment of the provinces consisted of a commissioner on a salary of Rs 2927 per mensem, one chief assistant at Rs 1200⁽²⁾ another at Rs 1070 per mensem and a junior assistant at Tavoy on a salary of Rs 321 per mensem,⁽³⁾ and although Lord Amherst admitted that this establishment was not excessive in proportion to the extent of territory, he hoped to do away with the services of one chief assistant and one junior assistant

(1) Bengal Sec. and Pol. Cons. 22nd June 1827. No. 42.

(2) Bengal Sec. and Pol. Cons. 23rd February 1827. No. 9.

(3) Ibid, 15th June 1827. No. 4. Minute by Lord Amherst on affairs in Burma.

by appointing Maingy and Crawford joint commissioners. Crawford, however, on his return in June 1827 from his mission at Ava where he had settled the Salween boundary question declined the post as being inferior to the very first post he had held in the political department of the service, ⁽¹⁾ so Maingy remained under the superintendence of Sir Archibald Campbell till February 1829 when the latter resigned, leaving him, in obedience to orders from the Supreme Government in sole charge. ⁽²⁾

During this period 1826-33 drastic reductions were carried out in the military forces as well. The two British and four native regiments of February 1826 had been reduced in September 1826 to one British and three native regiments, and on Sir A. Campbell's resignation, the forces on the advice of the Government of Fort St. George ⁽³⁾ were further reduced to one European and one native regiment with a detachment of artillery, gun lascars and pioneers under the command of Colonel Vigoreux. ⁽⁴⁾ This entailed a saving of Rs 170,000.

(1) Bengal Sec. and Pol. Cons. 2nd June 1826, No. 36. To Swinton from Crawford, dated 18th June.

(2) Bengal Sec. and Pol. Cons. 20th Feb. 1829. No. 6. Resolution of G.G. in C.

(3) Ibid 23rd Feb. 1829. No. 1. To Govt. of Fort St. George from Govt. of Bengal dated 23rd Feb. 1829

The first big problem that confronted Maingy in his task of administration was the extreme sparseness of the population in all the provinces. Crawford, writing in June 1827, stated that the total population of the provinces shortly after they came into British possession consisted of about 50,000 inhabitants or two and one eighth inhabitants to a square mile.⁽¹⁾ But owing to the great influx of Talaing immigrants from Burmese territory and from Rangoon in March 1827 as a result of a rebellion after the British evacuation, the population rose to 70,000,⁽²⁾ and all through Maingy's administration there was a steady increase, the population in 1835 numbering 84,917 souls.⁽³⁾ The commissioner thus did all he could to people the new provinces with Malay and Chinese settlers so as to promote cultivation, increase the number of labourers, and secure a rise in revenue. The Burmese and Talaing immigrants were encouraged to settle in the fertile parts of Martaban and Ye and were even exempted for one year from grain revenue in order to stimulate cultivation, though the

(1) Bengal Sec. and Pol. Cons. 22nd June 1827. No. 37
Report by Crawford dated 18th June 1827.

(2) Ibid. On 19th March 1827, Sir A. Campbell reported the arrival of "the King" of the White Horse and 10,000 of his Talaing followers from Rangoon and its surrounding districts. See Bengal Sec. and Pol. Cons. 6th April 1827 No. 11.

(3) Ireland, The Province of Burma, A Report. P 194.

commissioner was careful not to offer any direct invitation to the people on the Burmese side of the Salween as the daily immigration greatly vexed the Burmese authorities. (1)

He suggested to the government of Bengal time and again, that steps might be taken to inform the natives on the Coromandel coast and in China of the grants of land available in Tenasserim, but the Bengal council in reply expressed the wish that all such immigration should be left to natural causes. (2)

In his last report, written on 31st July 1833 he reiterated the same sentiments, and expressed his disappointment, that the Chinese with the exception of a few who were occupied in cultivating sugar-cane, pepper or indigo near the town of Moulmein, had not settled in as large numbers as he had expected. "Were their numbers increased", he wrote, "I should hope that many of them would be forced to settle in the interior and embark in the cultivation of the more valuable products of the soil, and

(1) Selected Correspondence, Tenasserim, p 102. Both the Burmese and Siamese governments at this time maintained a strict watch over emigration. Every month however, a few families were able to make their escape into British territory, and Maingy hoped for the return of most of the 40,000 Talaings who had formerly emigrated to Siam.

(2)

the most likely mode of speedily increasing their numbers would perhaps be, by requesting the Honourable Company's Supra Cargoes at Canton to take steps for quietly informing the Chinese of the salubrious air and fertile soil of these provinces, and of the advantageous terms on which new settlers may receive lands and engage in cultivation." (1)

He then dealt with the question of European colonization in the provinces. From the beginning of his administration, Maingy had adopted as a general principle, the free and unrestricted settlement of every race, and the Burmese and Talaing population being free from the trammels of caste, no objections whatsoever existed to the generous grants of land to European settlers, many of whom had received 'Location tickets' at Amherst (2) shortly after its foundation. Since the extension of cultivation, and the dying out of debtor slavery, the number of free labourers in the market had increased, the price of labour had fallen from Rs 2 to 8 as per day,

(1) Selected Correspondence, Tenasserim p. 102.

(2) Selected Correspondence, Tenasserim, p. 64. To Swinton from Maingy, dated 1st May 1827. Last paragraph of letter.

and the fixing of the land tax, and the inflow of capital, rendered it necessary that rules should be drawn up defining exactly the terms on which Europeans could be granted leases, and stating whether such individuals were at liberty "to purchase or obtain by other means from the native inhabitants, their perpetual and hereditary right in the soil."⁽¹⁾ Maingy therefore enclosed in his last report, the draft of a public notification containing rules for the grants of land to European settlers, and in it he arrived at maintaining an equality between European and native inhabitants, reserving the rights of sovereignty to the East India Company by enforcing payment of an annual quit rent, and "to counterbalance the advantage to be granted to a settler of so long a lease as a term of ninety-nine years" he fixed the land tax fairly high.⁽²⁾

(1) Selected Correspondence, Tenasserim p. 74 Letter to Swinton from Maingy, dated 23rd January 1828. Under the Burmese, private property in the soil and the right to alienate, bequeath, or sell lands was vested in the cultivators, and the practice of renting lands scarcely existed. There were no extensive land-holdings and the mass of the cultivators were peasant proprietors. With the growth of the landlord class and the introduction of rent, therefore, new rules had to be devised for the grants of land to settlers.

(2) Selected Correspondence, Tenasserim. Report by Maingy dated 31st July 1833.

Next in importance to increasing the population of the provinces, came measures for securing a rise in revenue. When Maingy assumed charge of the provinces, the ten per cent tax on grain amounted to only Rs 25,000 or Rs 30,000 per year, ⁽¹⁾ the taxes on garden ⁽²⁾ produce and implements of industry were trifling, hardly any customs duties were being levied, and the excise farms constituted the principal source of revenue. His first aim therefore was to introduce the idea of rent and levy a tax on land, instead of the tax on the produce alone, and thus to encourage the cultivation of every inch of cultivable land owned by each cultivator. At the same time, he strove to maintain the indigenous Burmese custom of small peasant holdings, and while giving the occupants a permanent interest in the land, prevented the absorption of large tracts of land by individual capitalists; ultimately he wished to commute the payments in kind for a money tax and establish some form of land ⁽³⁾ revenue settlement with landholders. First of all therefore, he abolished the petty taxes on fruit trees and

(1) Ibid. p. 64. To Swinton from Maingy, dated 26th September 1826.

(2) See above, p 51.

(3) Selected Correspondence, Tenasserim. p. 63. Letter to Swinton from Maingy, dated 1st May 1827.

articles of industry, and in accordance with the rules for revenue collection drawn up by Fullerton, he levied the ten per cent tax in kind on paddy, rice, tobacco, (1) sugar, chillies, betel-nuts, salt and earthen pots, at the places of growth and manufacture. In September 1826, he was able to report that the 18,600 baskets of (2) paddy produced in Tavoy in 1825 had risen to 25,000 but Mergui, owing to scantiness of population and lack of cultivation was suffering from a shortage of grain which had to be imported from Tavoy. For one year the population of Martaban and Ye were exempted from payment of the tax on grain for it was discovered that the old inhabitants had not sufficient grain to supply the wants of new settlers, and the extra supply needed had to be (3) obtained from Tavoy, and even from Calcutta. In May 1827, Maingy reported that the grain obtained from the Mission Brig Guardian which had most probably arrived from Calcutta, was selling at Rs 9 per bag and had succeeded for a time in averting the distress but he continued :-

(1) Idem p. 64.

(2) Selected Correspondence, Tenasserim, p. 47. To Swinton from Maingy, dated 26th September 1826.

(3) Ibid p. 61. Letter to Fenwick from Maingy, dated 21st March 1827.

"I am of opinion that eight of ten thousand bags of rice will be required to meet the wants of the inhabitants of this province, and I therefore most urgently recommend, unless the high price of grain should induce the merchants of Calcutta to send it in any quantity to this Port, that at least 5000 bags of rice should be shipped by the Government and forwarded to Amherst as early as practicable for the purpose of being placed at the disposal of the Civil Commissioner. The rice lately received per "Bombay Merchant" and that expected per "Ernaad" is intended for the use of the troops, but Sir A. Campbell has kindly offered to distribute some portion of it, should circumstances render it necessary." (1)

By the end of 1828 however, owing to the Commissioner's energetic efforts in visiting each district and persuading new settlers to devote serious attention to agriculture, cultivation had increased, and he was able to raise the tax on grain to twenty per cent of the gross produce and that on garden produce to twenty-five per cent, rates which had been proposed by Fullerton and which

(1) Selected Correspondence, Tenasserim. p 65. To Swinton from Maingy dated 26th May 1827.

Maingy stated would double the revenue of the provinces. (1)
Still, the commissioner was instructed by the Government of Bengal not to make any settlements with landholders or grant leases of land to Europeans and natives for any period longer than one year, (2) and he was allowed no other help beyond that of the thugyis for his village settlements. The four military surveyors who had begun a revenue survey of the province in 1826 (3) under instructions from Fullerton were recalled the following year much to Maingy's disgust, and he was informed that as "even the highly cultivated state of the Bengal provinces would not support the expense of a regular revenue survey," he should find means for "carrying his revenue arrangements into effect with the aid of some native land measures and at much less charge than that which would be incurred by employing European officers with large establishments." (4) All future request for revenue surveyors were also met with decided negatives, and even though Maingy submitted his plans for his

(1) Bengal Sec. and Pol. Cons. 28th Sept. 1827 No. 40 Letter to Swinton from Maingy dated 2nd Aug. 1827. Statistics of the revenue for this period are not to be found in the Bengal Sec. and Pol. Cons. I have consulted as they most probably were not forwarded to the Directors but retained at Calcutta.

(2) Ibid No. 41.

(3) Selected Correspondence, Tenasserim p. 47. To Swinton from Maingy, dated 26th Sept. 1826.

(4) Bengal Sec. and Pol. Cons. 28th Sept 1827, No. 41 To Maingy from Vice-President in Council, Bengal.

"triennial ryotwari settlement" in March 1829 to Lord William Bentinck when the latter visited the provinces, on Sir Archibald Campbell's resignation, and although Maingy himself visited Calcutta in July 1829, no increase in revenue establishment was allowed, and the commissioner was obliged to continue the old system of village assessment till his retirement in 1833. From 1830-33, however, he instituted a triennial ryotwari settlement by which he or the assistant in charge of each province settled with the inhabitants of each village and its thugyi or headman, the whole amount of the tax to be paid by the village. In the absence of a survey, the amount had to be decided by a reference to what the village paid in former years and "by the information which they may have acquired as to the average fertility of the cultivated lands in the village from having visited it in former years and superintended the cutting and measuring of crops on several portions of land."⁽¹⁾ The total amount was then divided by the villagers among themselves, a list of the contributors and the amount of each contribution was given to the commissioner and "a copy was

(1) Selected Correspondence, Tenasserim, p. 99.¹⁰⁰ To Secretary to Government of Bengal, dated 31st July 1833.

placarded in the Zayat or Town Hall, or most public place in the village, so that each cultivator might be fully apprised of the proper sum to be paid by him." (1)

The thugyis who collected the revenue no longer received salaries as they had done during the first three years of British rule, but were paid by a commission of ten per cent on the amount collected, but the headmen of small villages which had little or no paddy cultivation were given monthly stipends. (2) The assessments were paid in money, (3) and the value was determined by the average market price each year of each article. So successful was the triennial individual settlement that, Maingy was able to report in 1833, that not a single instance of distraint of property or imprisonment for nonpayment had occurred, and he advocated the fixing of the land tax according to the above rates for a period of fifteen or twenty years, or even in perpetuity. "I know of no measure", he wrote, "that would be more likely to promote and extend and improve cultivation in these provinces, than

(1) Idem.

(2) The surplus money from which these stipends were drawn was called thugyi-tsa. Selected Correspondence, Tenasserim, p 100.

(3) Selected Correspondence, Tenasserim, p 100. / Last para 6
his chapter on Burma in the Cambridge History of India Vol V states that until 1842 the village revenue demand was paid in kind. This is incorrect. Money payments were introduced in 1828 and were enforced in all provinces by 1833.

that of the Government satisfying the cultivator that its demand upon the land is limited and fixed

Our fixing the land tax would greatly enhance the value of landed property and incite the landed proprietors to improve their lands and attempt better modes of tillage, and the cultivation of the more valuable products." ⁽¹⁾ He pointed out that the Talaing immigrants

who had continued their old custom of transplantation in paddy cultivation were meeting with extraordinary success, and obtained returns of as much as 2000 fold as the soil around Moulmein was most fertile, and he hoped that the inhabitants of Tavoy would also adopt the

same method because their present slovenly broad cast ⁽²⁾ system did not return more than 50 or 60 fold. During

1831 and 1832 however much rice had been exported from the provinces of Tavoy and Amherst to the Coramandel Coast and the Straits of Malacca, while the inhabitants of Tavoy were undertaking experiments in the planting of Pernambuco cotton. By 1833 therefore the principal source of revenue was the tax on grain, but the increase in production did not yield a proportionate increase in revenue

(1) Idem. pp 100-101

(2) Ibid.

because it tended to lower the value of grain and therefore the grain tax which was regulated by the current price.⁽¹⁾

As far as the other sources of revenue were concerned, Maingy threw open the development of the resources of the provinces to private enterprise wherever such a step was possible. In 1827, the forests of teak and sapan wood were inspected and reported on by Dr. Wallich of the Government, Botanical Garden at Calcutta⁽²⁾ and in 1829 licenses were granted to individuals to cut as much teak timber as they pleased, paying to government an advalorem duty of 15 per cent upon all timber brought down to Moulmein. This measure so encouraged speculators that from 1830-3 as much as 7,309 tons of converted teak timber were exported to Calcutta, three square rigged vessels had been constructed while four more ships were under construction.⁽³⁾ In his last few reports, Maingy suggested that although the forests were not likely to be soon exhausted a small native establishment might be appointed

(1) Selected Correspondence, Tenasserim pp 95-6. To Swinton from Maingy dated 15th Sept. 1832.

(2) Ibid, pp 71-2. Letter to Swinton from Maingy dated 14th Dec. 1827.

Also pp 98-9. To Govt. of Bengal from Maingy dated 30th June 1833.

(3) Selected Correspondence Tenasserim p 102. Maingy's last report dated 31st July 1833. The Moulmein teak was considered at Calcutta to be superior to that from Rangoon and more valuable as it was imported in a converted state and not in the rough rude condition of the Rangoon teak.

to see that the felling of teak trees was properly done, and that young seedlings were planted at the proper season each year. As an encouragement to teak wood cutters in Tenasserim also, he suggested that a small import duty might be charged at Clacutta, as at Madras on the teak⁽¹⁾ which came from ports belonging to the King of Ava.

At the end of 1826, the commissioner visited the islands of the Mergui Archipelago and arranged for the protection of the islanders from the attacks of the Malays by the employment of a small steam vessel. The Salons who were divided into three tribes, he found to be a "quiet inoffensive race of people having no fixed place of abode and wandering from bay to bay in search of food considering this sort of life best calculated to afford them protection against the Malays, Burmese⁽²⁾ and Siamese by whom they were continually plundered." He threw open the trade of the islands to all merchants because any prohibition against British traders only benefited the Malays,⁽³⁾ but after some consideration

(1) Idem.

(2) Selected Correspondence, Tenasserim p 55. Letter to Swinton from Maingy, dated 25th February 1827.

(3) Idem p 56.

he decided to continue the practice of renting the exclusive privilege of collecting edible birds' nests to the Chinese who offered Rs 20,000 for the Mergui farm and Rs 16,000 for that of the Tavoy Islands. ⁽¹⁾

The other articles obtained from the Mergui islands were beche de mer, the dun (a large kind of periwinkle) bees wax, tortoise shell, sago, agilar wood and mats, and several pearl banks existed off the islands of St Susannah and St Matthew. As valuable pearls had often been sent from Mergui to the Court of Ava, Maingy hoped to derive much revenue from this source, but although he procured from Madras the services of a few experienced divers, their efforts were not attended with any considerable success, the pearls they obtained being seed pearls of small value. The one questionable and yet most productive source of revenue at the time of the conquest had considerably declined by 1833. In September 1832, and again in July 1833, Maingy joyfully reported that the revenue from the gambling farm and from the sale of spirituous liquors at Tavoy and Mergui had fallen from Rs 4000 and Rs 2000 per month to Rs 1500 and Rs 1270 respectively. ⁽²⁾ "But" he wrote

(1) Idem.

(2) Selected Correspondence, Tenasserim. p 96. Report dated 15th September 1832.

"I do not hesitate to attribute the defalcation in this source of revenue to the increasing moral improvement in our population, and I am supported in this view by reference to the great reduction of criminal offences in those two provinces (Mergui and Tavoy) where during the last two years, I have not had a single crime of importance to try."⁽¹⁾ He then went on to express in poignant terms his long repressed condemnation of the continuance of these farms. He entreated the Supreme Government to abolish them completely, and to imprison or fine all delinquents, suggesting that any loss in revenue might be compensated for by an import duty on opium.

It was chiefly over these farms also, that Maingy had come into conflict with the military authorities at Moulmein. As had been the custom in different parts of India, the control of the excise farms within the cantonment area had been entrusted to the military authorities, but Maingy found that a large number of immigrants and Talaing chiefs who had taken up their abode within the cantonments for purposes of safety, were thus able to evade taxation by the civil authorities. On 17th October⁽²⁾

(1) Idem.

(2) Bengal Sec. and Pol. Cons. 20th Nov. 1829. No.

therefore, Brigadier Vigoureux under orders from the Supreme Government, made over to the civil authority the control of the Opium farms, reserving to the Commissariat the exclusive privilege of retailing liquor only. (1) The extent of the military lines also was much reduced, the jurisdiction of the military officer was limited to the police of Moulmein alone, (2) the salaries paid to certain influential Talaings serving with the army were cut down, and as a result an increase of revenue amounting to Rs 1480 was obtained. (3)

Another cause of disagreement between civil and military authorities arose out of the trade of vessels visiting Moulmein. Maingy discovered at the end of 1828 that, no official register was kept of the amount of trade at Moulmein and trading ships could proceed direct to Moulmein without reporting to the civil authority at Amherst. He therefore requested that in future all vessels should be required to anchor off Amherst, and send the necessary returns to the civil commissioner who would thus be able to keep a better check on the receipts and expenditure of the province of Amherst. This was a

(1) Idem.

(2) Ibid, 1st May 1829. No. 3. Letter to Swinton from Maingy dated 17th October 1828.

(3) Ibid. 21st August 1829 No. 20 Letter to Govt. of Bengal dated 7th July 1829.

most necessary step for the collections of Tavoy and Mergui defrayed the charges of the civil and military establishments of those places, while the annual receipts from Amherst did not exceed Rs 45,000, a sum which was expended on the military force stationed for its protection. Although all Maingy's requests were granted, no customs were levied on the trade of the provinces during his tenure of office but before his retirement, he suggested that as the trade of Moulmein with India and the Lao States was so rapidly growing, import and export duties would soon have to be levied. Because of the heavy anchorage duties levied at Rangoon, ships carrying British piece-goods and other manufactures preferred to trade with Moulmein from which the goods were conveyed into British territory,⁽¹⁾ and since the two missions of Dr. Richardson whom he had deputed in 1829-30 to the Lao States of Laboung and Chiengmai, caravans of traders from the different Burmese Shan States also had visited Moulmein bringing cattle and other goods worth Rs 72,615 and taking back British goods of the value⁽²⁾ of Rs 73,000.

(1) Bengal Secret and Pol. Cons. 24th October 1828, No. 6.

(1) Selected Correspondence, Tenasserim. p. 103. Report dated 31st July 1833.

(2) Idem.

All the above mentioned measures for the development of the resources of the provinces, and an increase of revenue naturally depended on an efficient system of justice and police, and it is in the judicial sphere especially, that we notice the humanising effects of British rule. In the administration of justice and police, as in the revenue system, sudden innovation was avoided ; the village system of thugyis and night watchmen acting as police officers was preserved, the sitke was still maintained as the head police official of a district, superintending the work of a myothugyi and Goung-gyouk in charge of the police of a circle, while the goung-gyouk in turn superintended the work of thugyis. In his last report, Maingy stated that the system worked so well that he was not able to suggest any alterations or improvements in it. ⁽¹⁾ All unnecessary delay in the apprehension of offenders was avoided, and the infrequency of crime since 1829, when all Burmese bandits who had crossed the Salween to invade British territory were ⁽¹⁾ persued to Martaban and arrested, was remarkable.

The criminal laws administered in the provinces were those established for the Regulation provinces in

(1) Selected Correspondence, Tenasserim. p 106. Last Report, dated 31st July 1833. Unfortunately at this time the Master Attendants or Port officers at Amherst and Moulmein were the only European officials in charge of the police. A Superintendent of police for Moulmein was not appointed till 1838 or 1839

Bengal while the civil laws were based on the two principal Burmese codes found in the 'Dhammathat'⁽¹⁾ and 'Yazathat'⁽²⁾ a translation of parts of which had been undertaken by Blundell. Maingy urged the necessity however, for the compiling of a new code of laws for the provinces, but a code which should keep as far as possible the Burmese customs and laws relating to marriage and inheritance. As laid down in Fullerton's Judicial regulations, no professional pleaders were allowed in the courts, and the only taxes upon justice consisted of a duty of ten per cent upon the amount of the suit, payable by the party losing the cause, a fee of Re 1 for a summons to the defendant, and half a rupee for a subpoena to a witness, and even these fees were remitted⁽³⁾ in cases of extreme poverty.

The Commissioner held his 'jail delivery' or sessions twice a year at the chief stations of the provinces, the deputy commissioner, Major Burney who was appointed in February 1828 and held office till March 1830 when he was succeeded by Blundell,⁽⁴⁾ also held a court at Tavoy or

(1) Dhammathat. This was believed to be a Pali version of the Hindu laws of Manu.

(2) The Yazathat was a collection of precedents, rules and regulations established by different kings of Ava.

(3) See above p

(4) Bengal Sec. and Pol. Cons. 19th March 1830 No. 4
To G.G. in C. from Maingy dated Feb. 1830

Mergui and decided civil suits not exceeding in amount Rs 2000 with powers of punishment extending to two years imprisonment and thirty-nine stripes. The powers of the Assistants were limited to suits of the value of Rs 1000 and imprisonment for one year and twenty-four stripes, while the native officials of government, the sitke, the myothugyi and the thugyi, were allowed to hold district and village courts and try petty cases not exceeding Rs 30 in amount. A plan once tried at Tavoy proved so successful that it was continued. On every court day, the head native official was instructed to take the seat of the Deputy Commissioner in the "Youn" for four hours before the latter's arrival and try petty cases of less than Rs 30 in amount. "This plan", wrote Maingy, "while it gave consequence to the native officer afforded the litigants whatever benefit might be derived from his better knowledge of the native character and customs, and if they were dissatisfied with his judgment, saved them from all the trouble and delay and expense usually incident to an appeal case." Very few appeals however, were ever made to the deputy commissioner from the decisions of the native officers, the most futile cause of litigation in the provinces being those of mercantile debts.

The most important judicial development of this period however, were the employments of fines and the enforcement of

capital punishment, a practice which was seldom resorted to under the Burmese. On 20th May, 1829, Major Burney reported that while recently at Mergui he had for the first time tried one of the prisoners by a jury selected from his own countrymen, according to the rules and principles detailed in a regulation of Fort St George dated 11th

(1) September 1827. The jurors who at first were unwilling to undertake the task soon began to understand its value, and were so proud of being thus employed that they refused all remuneration. (2) The commissioner finding that he derived the greatest aid from juries both in civil and criminal trials extended the system to all law courts in the course of the year. Native juries it is true sometimes awarded punishments which puzzled the judges of Calcutta and which seemed to them ridiculous. For instance in one case the judges could not understand why both complainant and accused should have been sentenced to be tom-tomed round the town. When an explanation was given however, it turned out that the offenders were man and wife of an exceedingly quarrelsome disposition who had troubled the court on a former occasion with their petty

(1) Bengal Sec. and Pol. Cons. 21st August 1829. No. 18 Report to Maingy dated 20th May 1829. Enclosure.

(2) Selected Correspondence, Tenasserim. p 107 Last Administrative Report dated 31st July 1833.

(1)
disputes. The rights of accused persons were thus as carefully protected as those of the complainants.

The introduction of capital punishment was perhaps the largest innovation made in the whole judicial system. Burmese judges had grown rich with the fines they were able to extort from offenders and then any offence could be atoned for by fines, it was not likely that criminals would be sentenced to execution. The Government of Bengal however, realized the necessity for establishing one uniform code of criminal procedure and so Tenasserim was brought under the Bengal system in criminal matters. It was not till 23rd February 1829, that Maingy was given power to carry capital sentences into execution without reference to any other authority; (1) before that date he had had to lay the whole of his proceedings in capital cases before his senior, Sir Archibald Campbell, and this had entailed considerable delay in the execution of murderers.

The establishment of a good system of justice and police did much to inspire the inhabitants with confidence in the new government, and there was a noticeable

(1) Bengal Sec. and Pol. Cons. 23rd Feb. 1829 No. 2.
To Maingy from Govt of Bengal.

outflow of population from the principal towns in which most people had hitherto sought protection to the outlying districts where agricultural pursuits were once more resumed. Relations with the Burmese and Siamese along the frontier also, were not as precarious as they had been during the first few years of British rule, for Maingy's numerous complaints to the Court of Ava, the Wungyi at Rangoon and the King of Siam, in addition to the efforts of Major Burney, Envoy at Ava (1830-37) had put an end to the border warfare that had prevailed. The commissioner was not so successful in stamping out the horrible system of man-catching practised by the Red Karens who handed over their victims to the Lao chiefs of Laboung and Chiengmai in exchange for cattle, but by sending an agent to the king of Siam, he was able to procure an order from the latter to the chiefs for the return of 219 out of the 300 captives they possessed, and when the prisoners returned they were employed as wood cutters on the banks of the Salween. (1) Still, Maingy felt that no effective frontier defence was possible so long as the boundaries of the provinces remained undefined, and as the provinces, with the exception

(1) Bengal Sec. and Pol. Cons. 2nd Sept. 1831. No. 4. To Swinton from Maingy dated 3rd August 1831.

of a small portion around Moulmein, had never been scientifically explored in 1833 he urged the need of an efficient surveyor. It is not surprising however that the Government of Bengal had refrained from embarking upon the expense of a regular survey of the provinces, for it was not till the beginning of 1833 that they received the despatch of the Secret Committee of the Court of Directors in England deciding on the retention of the Tenasserim provinces, ⁽¹⁾ and as late as 1830, Major Burney on his departure for Ava had actually been instructed to inquire what the Burmese would give in exchange for the provinces, should the British ⁽²⁾ decide on retrocession. Any criticism of the administration of Tenasserim between 1826 and Maingy's retirement in July 1833 therefore, must take into account this delay in the decision of the home authorities. The uncertainty of retention and a consequent dislike of heavy expenditure undoubtedly limited every measure of the new administration. For instance, up to 1833, most of the public buildings such as jails and court houses were

(1) Bengal Sec. and Pol. Cons. 19th March 1833. No. 1. Despatch from the Secret Committee dated 21st August 1832 mentioned in a letter to Maingy from the Supreme Government.

(2) Bengal Sec. and Pol. Cons. 8th January 1830. No. 26. Minute by the Governor-General.

built of cheap materials, and had to be repaired every two or three years; ⁽¹⁾ then, with the exception of the

construction of a road from Moulmein to Amherst, the re-opening of Alaungpaya's road from Amherst to Mergui and improvements in the streets of the three towns of Moulmein, Tavoy and Mergui no proper system of internal communication could be opened up. ⁽²⁾ We gather from

Maingy's reports that he experienced considerable difficulty in moving about from one district to another, especially during the monsoons when he was almost completely cut off from the two southern provinces of Mergui and Tavoy.

Furthermore, as is inevitable in all cases where one system of administration gradually supplants another some of the new developments indirectly injured certain old institutions and customs which were suited to the life and conditions in Tenasserim. For example, we find Maingy in 1833 lamenting the fact that monastic education was not as popular as it had been; ⁽³⁾ in Burma, as in England during the Middle Ages, the monasteries had been havens of refuge for the poor, the oppressed, and even for the indolent. Yet, the schools attached to

(1) Selected Correspondence, Tenasserim p 105. To Swinton from Maingy, dated 31st July 1833.

(2) Idem. p 105.

(3) Idem. p 109.

every monastery had provided almost everyone with the elements of education, and we find the early British administrators again and again emphasising the fact that "there is scarcely an elderly Burman or Talaing who cannot read and write."⁽¹⁾ Under the security afforded by British rule however, the inhabitants began to live independent lives and earn their own livings, and the once crowded monasteries were deserted, a development which caused a decline in education. A mixed day school aided by a Government grant of Rs 50 a month had been opened in 1828 by an American missionary, the Reverend Mr. Boardman at Tavoy, and on his death continued by his widow with most successful results, and although Dr. Judson and other American Baptist missionaries were busily engaged in converting and civilising the Karen hill tribes around Moulmein,⁽²⁾ but developments moved more rapidly than the machinery of administration and in 1833 Maingy wrote that unless government schools could be provided at Moulmein and Mergui there was the danger of "the rising generation being almost wholly uneducated."⁽³⁾

(1) Idem p. 78 To the Rev. Mr. Boardman from Maingy, dated 21st August 1828.

Also Idem p 109.

(2) Sel. Corr. Tenasserim pp 108-9 para 35. Report by Maingy dated 31st July 1833.

The task before Maingy at the outset of his administration therefore, had been serious, and one that afforded much scope for personal talent. His responsibility to the governed had been just as weighty as his responsibility to the Supreme government at Bengal and his rule marks the beginning of the transition period between the old and the new order. Corrupt methods and social abuses had to be swept away, but the work had to be done slowly and carefully, and it is pleasant to find that a man with so much talent and energy should also have possessed a large amount of tact and no traces whatsoever of despotism. Firmness, Maingy certainly possessed as we gather from his relations with his subordinates, and the courage of his convictions colours all his letters to the Government of Bengal, but wisdom and vision also prevented him from pressing demands to an unsuccessful conclusion, and he avoided more skilfully than his successor, all unnecessary friction with the military authorities.

Still, although Maingy's system worked well from 1826-33, it was essentially a system dependent on the personal genius of the man conducting it, and thus liable to all the faults of such administrations. As developments grew more complicated government in Tenasserim had to become more highly organised, more centralized and more controlled by Bengal, and although Maingy's successor Blundell was a man of inferior ability, he did make strenuous

efforts to maintain certain principles laid down by his predecessor, and it was not altogether his fault that the march of events proved too strong for him.

CHAPTER III

THE ADMINISTRATION OF THE PROVINCE OF ARAKAN 1826-1833.

A. INTRODUCTION. A BRIEF SURVEY OF THE HISTORY AND GOVERNMENT OF ARAKAN BEFORE THE BRITISH CONQUEST.

The province of Arakan which General Morrison's army of 11,000 men overran and occupied between February and April 1825, was much more of a political entity than any other part of the Burmese Empire. Geographically, it was a portion of coastal territory, varying in width from fifteen to ninety miles, lying between the Bay of Bengal on the west, and the range of mountains known by the Burmese as the Yomataung which separated it from the rest of Burma, on the east.⁽¹⁾ Its northern boundaries, mentioned by Crawford and early British officials in Burma were the estuary of the Naaf river which separated it from the British district of Chittagong, and the 'Waili hills' in about north latitude 22° 16', while its southern extremity was the promontory of Negrais

(1) See map.

in north latitude 16° . Its area at the time of the British conquest was about 16,000 square English miles which is less by 2000 square miles than the area of the Arakan division to-day. This included the chain of islands of various sizes and shapes which stud the western coast, the most important of which is the large island of Ramree and the smaller ones of Cheduba and Jergo which was often referred to after the conquest as Amherst Island. Owing to the numerous inlets of the sea, the western seaboard is largely composed of mangrove swamps and saline 'nullahs', while at the time of the conquest the plains of the interior watered by numerous mountain torrents consisted chiefly of rice lands and pestilential jungles which gave to Arakan, especially during the south-west monsoon, its extremely unhealthy character, and which had fatal effects on

(1) Crawford, Journal p. 472. Crawford here states that the provinces of Arakan terminated at Cape Negrais called in the Burman language the "promontory of Manten" in about 16° north latitude. Dr. Dunlop, Civil Surgeon, who wrote a report on Arakan also defined its boundaries in the same way. "The province of Arakan is triangular in shape with its apex at Cape Negrais and its base or northern boundary formed by the Tek Naf and Mroosay river and a line drawn from its source to the Koladyng river and continued along its channel to the summit of the hills." (Bengal Sec. and Pol. Cons. 2nd May 1828 No. 10. dated April 16th 1828 Para. 1)

Pemberton in his report on "The Eastern Frontier of British India" pub. 1835, stated that the southern boundary lay in north latitude $15^{\circ} 53'$ which is obviously incorrect. See map.

many of the European and Sepoy soldiers serving in the province during the early stages of the war.⁽¹⁾

The kingdom of Arakan called by the inhabitants Rakhaing or Yakhaing had been founded by an off-shoot of the Tibeto-Burman tribes who originally penetrated Burma. Mr. Harvey in his "History of Burma" suggests that the Kanran tribes were most probably the ancestors of the Arakanese,⁽²⁾ who claimed to have been ruled by their own chiefs from as early a period as 2666 B.C. and then by hereditary kings or rajahs, who strove but not always with success to maintain their independence of Burmese control. In spite of the protecting wall of forest-covered mountains, traversable by only one good pass, that of An, in which a yearly fair was held in

(1) Robertson. 'Political Incidents' pp 116-123. The writer describes in vivid language the fatal effects of the climate of Arakan on the soldiers who died "by tens and scores and at last by hundreds," The Bengal Infantry sepoy's suffered most of all and one battalion was completely killed off by fevers and ague. pp 117-8. Also it was extremely difficult to erect suitable houses and hospitals for the sick and wounded while the war continued.

(2) Harvey, History. p.3.

(3) Ibid. p 369. Rajahs of Arakan, based on list by Phayre who checked several of the medieval dates by medallions.

the nineteenth century, and the development of their own dialect manners and customs, the Arakanese or Maghs⁽¹⁾ as they were called by the people of Bengal and European travellers, were not able to achieve political unity and their history though distinct from the rest of Burma, was similar in kind,⁽²⁾ Like other parts of Burma, the province was subject to frequent raids; hill tribes attacked it from the north; in the tenth century the Shans overran it; while on the west and north-west it was exposed to sea raids from Bengal. Dynastic struggles and faction disputes invariably gave rise to Burmese or Talaing interference

(1) The term "Magh" was commonly applied by writers and travellers from the seventeenth century onwards to the natives of Arakan, and is still used by Bengalis and Chittagonians when referring to the latter. The origin of the name is obscure. See Hobson-Jobson s.v. Maghs. Phayre ascribed its origin to "Maga" the name of the ruling family in Magadha (modern Behar) to whom the kings of Arakan were related, and others suggest that it may be a corruption of the Persian word, magh, as Mohammedan writers often confused Buddhists with fire worshippers. The earliest reference to the word Magh appears to be in the narrative of Fitch the first Englishman to visit Burma in 1588. See Hakluyt.

(2) Harvey Op. cit. p. 137.

(3) Ibid. 137.

and "settled government was the exception".⁽¹⁾ From 1044-1287 the Burmese under the Pagan dynasty exercised an overlordship over northern Arakan, but the sovereignty does not seem to have been more than the exaction of tribute,⁽²⁾ and the rule of hereditary kings continued.

After 1287, Arakan threw off the Burmese yoke, and except for a short period from 1374-1490, when first Burmese and then Talaings interfered in the internal affairs of the province, it remained an independent kingdom till its conquest by the Burmese under king Bodawpaya in 1784.⁽³⁾

During the period of its independence, chaotic as it was, Arakan had been an important factor in the politics of south-eastern Bengal. The Maghs, unlike any of the other races who settled in Burma, had developed the art of seamanship, and in many respects were more progressive than their Burmese neighbours. They were not opposed to the export of rice, the staple product of the province, and even appointed a special officer to control the trade while as early as 1660, they struck their own coins for use in the sea-ports.⁽⁴⁾ It is probable also that Buddhism

(1) Idem.

(2) Idem. p 138.

(3) Harvey, op. cit., p 267.

(4) Ibid. p 146. The Arakanese had used medallions since the tenth century to commemorate events, or at a king's accession.

made itself felt in Arakan before it reached the interior
(1) of Burma, while Brahmanism has left its traces in the
(2) names of rajas and the superscriptions on medallions.

In the 13th century, "the spread of Mohammedanism which
reached Achin in 1206, and dotted the coast from Assam
to Malaya with the curious mosques known as Buddermokan
reverenced by Buddhists and Chinamen as well as Mohammed-
(3) ans," also affected Arakan, and owing to the proximity
of Chittagong and intercourse with the Mohammedan rulers
of Bengal, three tenths of the population when the British
conquered Arakan were Mohammedans, though the early re-
ports do not exactly state how many of this number were
(4) Arakanese by race.

During the early years of the seventeenth century,

(1) Harvey. op. cit. pp 137 and 313. "The ease of sea-communications renders it likely that Buddhism reached Arakan earlier than the interior of Burma, and the Mahamuni pagoda [the shrine at Dannyawadi, 22 miles north of Mrohaung in Akyab district] may well date from early centuries of the Christian era."

(2) Idem. e.g. The word 'Chandra' in the names of kings from 788 to 957 A.D. also 'Siva's trident' and 'Nagari script' which appear on the medallions of the period. See Phayre, 'Coins'.

(3) Idem. p. 137.

(4) Bengal Sec. and Pol. Cons. 9th June 1826. No. 10 (cont) Report by C. Paton. Sub. Commr. dated 20th April 1826.

the Portugese tried to gain a foothold in Arakan, but the king Minhkamaung with Dutch aid was able defeat their projects, and win them over to his side as allies against the Mohammedan rulers of Bengal.⁽¹⁾ From then onwards, the Portuguese settled in large numbers in Chittagong which the Maghs had conquered in 1459, and till 1660 formed with the latter a powerful combination raiding the coastal districts of Bengal and exacting tribute or carrying off captives. Even so late as 1795 Burmese boats off the coast of Arakan were still liable to capture and pillage by the Arakanese. So afraid were the Moghul governors of these piratical attacks that "for generations an iron chain was stretched across the Hooghly river between Calcutta and Sibpur to prevent their entrance."⁽²⁾

The Burmese conquest of Arakan however, put an end to much of this piracy. In 1784 at the invitation of an Arakanese lord, the Burmese king Bodawpaya sent 30,000 men under his eldest son to invade Arakan, Mrohaung the capital was seized, the whole country was overrun and conquered, and the kingdom of Arakan was converted into

(1) Harvey. op. cit. , p. 142.

(2) Harvey. op. cit., p. 143.

a province of the Burmese Empire under a governor stationed at Mrohaung.⁽¹⁾ Then began a long series of abominable cruelties, massacres and conscriptions by the Burmese on the Arakanese, who in consequence fled in large numbers to the neighbouring British district of Chittagong, "where taxation was reasonable and a man could go to bed at night without wondering whether his throat would be cut in the morning by order of some official."⁽²⁾ The Arakanese made several attempts to overthrow Burmese tyranny; from 1797, under a famous leader Nga Chin Pyan, commonly known as Kingberring, they attacked Burmese garrisons and strove to regain their country using British territory as a base for their schemes. They were not successful, but they were able to harass Burmese shipping, and caused so much disturbance generally, that the Burmese viceroy of Arakan began to complain to British officials in Chittagong demanding the unconditional surrender of all refugees, and as early as the year 1795, a Burmese force entered British territory in pursuit of fugitive rebels.⁽³⁾ It was this state of affairs which gave rise

(1) Harvey. op. cit., pp 267-8

(2) Paper of intelligence from Cox's Bazaar dated 20th October 1823, Bengal Secret and Political Cons. quoted by Harvey, 'History' p 281.

(3) Robertson, op. cit. p 7.

to the first Burmese War. The British authorities in Chittagong according to Robertson who was magistrate of Chittagong in 1824, were faced with a task which was almost beyond their powers for the Magh immigrants "did not generally congregate in masses, but were scattered over the face of the country in detached quarters of the several Bengalee villages to which they had annexed themselves."⁽¹⁾ On the other hand, the Burmese strongly resented the settlement of over forty thousand Maghs in British territory in which they were safe from the attacks of their conquerors,⁽²⁾ and as pointed out by Captain White who reviewed the events which had led to the war, the harbouring of so many refugees whose influx often could not be prevented, was bound to lead to trouble.⁽³⁾ In 1823 after the Burmese conquest of the states of Manipur, Cachar and Assam, the letters to the British authorities in Bengal and Chittagong from the Governor of Arakan grew decidedly more arrogant, and war was inevitable. It is probable that were it not for the proximity of British

(1) Robertson, op. cit., p 8.

(2) White. 'A Political History' pub. 1827. p 9. "In consequence of the continued oppression of the Burmese towards the Arakanese in the years 1797 and 1798, no less than forty thousand more of the population emigrated."

(3) Ibid. Captain White belonged to the 2nd battalion 15th Bengal Infantry which was stationed in Chittagong in 1811. He later became Assistant to the Commissioner in Arakan.

territory and the British conquest of Arakan, the Burmese might have been finally driven out of Arakan, by the Arakanese themselves, but since the province acted as a buffer between two powers and since the Burmese had established themselves in Assam Manipur and Cachar, it was obvious to the Government of Bengal and to the Directors of the East India Company in England, that British influence, if not a British possession of Arakan had to be maintained at all costs. The retention of the province of Arakan was therefore decided upon by the Secret Committee as early as April 1827, (1) and in a letter dated 1st October 1829, the ~~Secret~~ ^{latter} Committee drew the Government of Bengal's attention towards the importance of defending the province, and collecting information about the best points for an attack on Ava, should there be a second Burmese War. (2)

From the beginning of British rule therefore, much more attention was given to the administration of Arakan than to that of the Tenasserim provinces, and every possible effort was made to develop its scanty resources and promote its trade. Its nearness to Bengal enabled the Supreme

(1) Bengal Sec. and Pol. Cons. 14th January 1831. No. 1. Minute by Lord William Bentick, dated 30th Dec. 1830.

(2) Ibid,

Government to send to the province from time to time, men who held high posts in the covenanted civil service of that presidency, and whose experience in the revenue and judicial departments of Bengal was looked upon as being a good equipment for administrators of a new tract of country. Unfortunately however, they were men who were accustomed to move in the administrative grooves of more settled administrations, and had not the boldness and originality which are the sine qua non of successful pioneers in administration, like Maingy in Tenasserim. The first two commissioners Hunter and Paton appointed after the war failed to grasp the essential difference between the Burmese and Bengal social systems and made fundamental errors in the revenue settlement they introduced, and the whole government became so disorganised for a time, that a temporary and special commissioner had to be sent to draw up new rules for the administration, which resulted in the local commissioners being placed under the control of the Commissioner of Chittagong. It was not till the connection with Chittagong had been severed, and the capable Bogle with his brilliant assistant Phayre had been appointed in 1837 that the province made real strides towards progress. After 1837, Arakan improved so rapidly "that they who had seen the wilderness which passed into our [British] hands in 1825 were delighted on visiting the

country some fifteen years afterwards, to find themselves in one of the most prosperous and well-governed provinces under the presidency of Bengal."⁽¹⁾

B. THE HUNTER-PATON COMMISSION AND THE REFORMS INTRODUCED
BY THE SPECIAL COMMISSIONER BLUNT. March 1826 - Sept. 1826

After the Treaty of Yandabo had been signed, Robertson as we have previously noticed, was ordered back to Arakan where he was instructed to complete his arrangements prior to going on sick leave.⁽²⁾ During his absence the sub-commissioner Paton had done his best to institute measures of civil government, but he had to spend so much of his time in collecting men for the construction of cantonments and hospitals for the troops, and in fortifying the outlying posts around the passes of An and Talak which led to the Irrawaddy river,⁽³⁾ that he had very little time for drawing up rules for the collection of revenue or the administration of justice. In fact, so harassed had the population been by two years ^{of} warfare, and so neglected was

(1) Keyes, Administration of the East India Company. p 446.

(2) Bengal Sec. and Pol. Cons. 14th April 1826, No. 29.

(3) The Mug Levy raised by Robertson during the early stages of the war rendered most valuable service in policing outposts and collecting men. The chiefs of the Levy possessed considerable influence among the people.

the cultivation of the soil that it would have been quite impossible to put forward any revenue demands, Four thousand male adults out of a total population of 100,000 souls were employed in public works, the materials for which they had often to furnish at their own expense; food was trebled in price because vast quantities of provisions had to be supplied to three regiments of Native Infantry a corps of pioneers and a detachment of artillery, and in March 1826, Paton wrote that he could not "consistently with humanity and proper policy call upon the inhabitants for further quotas of men."⁽¹⁾

Before Robertson's return to Arakan however, Paton with the help of his assistant Philipps had collected a store of useful information about the Burmese government of Arakan. His researches were not beset with the difficulties encountered by Maingy in Tenasserim, for although many Burmese officials had fled to Ava after the British conquest, the Maghs themselves who had had contact with the British for years, were quite willing to volunteer requisite information, while much knowledge of the previous history of Arakan was gleaned from Magh documents translated by Robertson with the aid of a Bengali munshi

(1) Bengal Sec. and Pol. Cons. 7th April 1826. No. 7.
To Brigadier McInnes from Paton, dated 2nd March 1826.

during the war. (1)

In this respect therefore, the early administrators in Arakan possessed a decided advantage over their colleagues in Tenasserim, and although they found the Maghs unscrupulous and cunning in their replies, especially with regard to the previous land revenue arrangements in Arakan, the fundamental errors perpetrated by Hunter and Paton in their new revenue measures were the fruit less of ignorance than of utter lack of administrative talent. (2) Robertson, we know, grasped the essential features of the Burmese village system for in a minute written on 15th December 1825, he referred to his experiences of conditions in Arakan, while commissioner in Ava and stressed the importance of thugyis and myothugyis as village officials, and although at the time, he did not know how far their authority extended, he advocated the retention of these subordinate officers of government, considering it difficult "to devise any plan of internal government more simple in theory, or more likely to prove efficient in practice." (3)

(1) Robertson. op. cit. p 13.

(2) Kaye, op. cit. p 444.

(3) Bengal Sec. and Pol. Cons. 27th January 1826. No. 22 Minute by the Civil Commissioner dated 15th December 1825.

Robertson however before his departure to join the British commission in Ava in October 1825 had been obliged amid the turmoil of war, to enter into^a/revenue settlement with certain individuals in Arakan who had not held office when the British arrived. It is true that he reinstated many of the former thugyis in the districts of Arakan and Ramree, and in some cases allowed the inhabitants to elect their own headmen, (1) but in many others, the village lands were entrusted to the care of Magh chiefs who had aided the British army with men and supplies, or to Arakanese Mohammedans possessing influence in the province, or even to emigrant Maghs who had returned from Chittagong since the British occupation. (2) The task of assisting the operations

(1) Bengal Sec. and Pol. Cons. 9th June 1826. No. 10
(cont) Paton's report of Robertson's Settlement, dated 26th April 1826.

(2) Ibid. Some of the relatives of Kingberring were appointed headmen, while five villages in Cheduba were place in charge of 'Phea-own' a 'returned emigrant'. A Mr. Fernandez as a "reward" for his indefatigable and zealous" was made responsible for the revenue of the Island of Akyab.

See also Kaye, Administration of the East India Company. p 443.

of the army had engendered these arrangement, and the return of many Magh chiefs who alone could assist the British to maintain law and order, complicated the assignment of official posts. Nevertheless, Robertson's settlements were only intended to be temporary, and except for the issue of purwannahs stating the names of villages and the individuals who were to be responsible for their assessment and tranquillity, he did not enter into any definition of the rights and powers of these men, for he did possess enough information about former conditions at the time. (2) His successors who came straight from Bengal, began to apply to the simple institutions of the country, principles of revenue collection which were wholly unsuited to them, and by the attribution of zamindari rights thoroughly disorganised the state of society for a time.

(1) Bengal Rev. Cons. 1st May, No. 20. To Govt. of Bengal from Blunt dated 15th April 1828. Blunt here reports that "most of the kyouks and thugyis who were in possession of lands at the period of the triennial settlement 1827-1830 were emigrant Mugs who accompanied Mr. Robertson to the province and had obtained possession under purwannahs from him". Many of the Burman kyouks had left when Burmese evacuated the country.

Also Ibid, 3rd July 1828. No. 5. Report of Commrs. in Arakan. 23rd May 1828.

(2) Bengal Sec. and Pol. Cons. 9th June 1826. No. 12. Letter to Swinton from Robertson about future government of Arakan, dated 26th May 1826.

The province of Arakan which consisted of the district of Arakan and its dependencies, the island of Ramree, the island of Cheduba and the district of Sandoway, had been divided by the Burmese in customary fashion into townships or village groups of varying size, some townships containing as many as sixty villages, while others had only two.⁽¹⁾ Each of these townships was controlled by an officer called by the Maghs, a "Kyouk", and by the Burmese a "myothugyi" or "thugyi".⁽²⁾ The powers and functions of kyouks and thugyis were similar to the powers of such men in the Tenasserim provinces and throughout the Empire; they controlled the work of the headmen in their divisions and were elected in Arakan by the suffrage of their villages.⁽³⁾ The myothugyis who were hereditary officials possessing great influence over the inhabitants within the area of their jurisdiction, often acted as a check

(1) Bengal Sec. and Pol. Cons. 9th June 1826. No. 10. Report by Paton dated 26th April 1826.

(2) Bengal Rev. Cons. 1st May 1828. No. 20. Report by Blunt dated 15th April 1828. "The designations of 'Kyouk' and 'Soogea' appear to have precisely the same meaning, the former being used chiefly in Arakan proper, the latter in Ramree and the southern districts of the province. The word kyouk is of Magh origin...."

(3) Bengal Sec. and Pol. Cons. 9th June 1826, No. 10. Paton's report.

on the power of the viceroy of Arakan and extorted large sums from the villagers. The capital Mrohaung, called by the British Arakan, was divided into eight wards corresponding with the eight outlets from the fortifications, and each ward had its own police which was superintended by the myothugyi of the city. The judicial court of the province, according to Paton, consisted of the Akunwun (the collector of land revenue), the Akankwun (collector of sea customs) two sitkes (law officers) and two nakhandaws (royal reporters). No mention was made of a Yewun in Arakan, but all appeals were carried to the 'rajah' or Burmese viceroy of Arakan, and his "decision was final in all cases not affecting the officers of state or kyouks of village divisions."⁽¹⁾ The latter always had the right of appeal to the Shwe Hluttaw or Court of King-in-Council. The same appalling degree of corruption prevailed in Arakan as in other parts of Burma. In Arakan also, the friends of criminals who were condemned to death could always secure the release of the latter by the payment of large sums of money, even at the places of execution. "In many cases," wrote Paton, "the plaintiff and defendant were both made to pay fees and costs of which the officers of the police had their share, and in consequence, the utmost vigilance and efficiency were kept

(1) Idem.

up rendering it almost impossible for crime to be committed without the knowledge of the civil officers of the state." (1)

The district of Arakan proper, exclusive of the capital, was divided into fifty-five village divisions (2) or townships, the district or island of Ramree including the small island of Jergo to the south of it, consisted of twenty-five village divisions, while the district of Sandoway contained seventeen village divisions. The island of Cheduba was always considered as one district and consisted of only ten villages. Each of the provinces of Ramree, Sandoway and Cheduba was ruled by a deputy-governor controlled by the viceroy, "whose situation was the best, in the gift of the king of Ava, and always bestowed upon some relation, or as a reward for eminent services rendered to the state by the individual vested with that high honour, who was only required to remit a portion of the revenue to Ava for the support of the white elephant never exceeding 120 bees-wax (sic) of silver equal to about Sicca Rs 18,663, the remainder being his

(1) Idem.

(2) Paton used the term 'village divisions' all through his report and referred to small villages as 'paras' and their headmen as paradas.

sole perquisites."⁽¹⁾ Paton was informed that the viceroy and the deputy governors were relieved every three or four years, and the arrival of their successors was only another occasion for extorting money from the kyouks who were obliged to pay heavy fees in order to get their former privileges confirmed.

The population of the whole province at the time of the conquest did not exceed 100,000 souls, sixty per cent of whom were Maghs, thirty per cent Mohammedans and ten per cent Burmese,⁽²⁾ but as early as the beginning of 1826, Paton reported that many Burmese inhabitants living on the western banks of the Irrawaddy were anxious to settle in Arakan,⁽³⁾ while several Mohammedan families from Chittagong were already immigrating.⁽⁴⁾ The Maghs whom Dr. Dunlop, Civil Surgeon in Arakan later described as "long-bodied, muscular, powerful limbed, but indolent and slothful,"⁽⁵⁾ were chiefly engaged in hunting and fishing.

(1) Idem.

(2) Idem.

easily obtaining from the fertile soil of the province and its numerous saline creeks the rice and saltmon which they chiefly subsisted; while most of the Mohammedans were petty shop-keepers who carried on the retail trade of the province. The sub-commissioner was impressed with the fact that almost every adult in the province, including the women, were able to read and write, the current language of the province being Arakanese, which although written in the same way is pronounced differently from Burmese, while a number of Mohammedans were able to speak good Hindustani. Slavery of all kinds prevailed, but with the exception of the Chin hill people whom the Maghs often captured and enslaved, slaves could purchase their freedom without the consent of their owners.

Although the methods of extorting money, so common in the rest of Burma, were practised in Arakan, there were traces of an attempt at an organised system of taxation, and Paton found that the size of plots of land was often taken into account in the assessments.

The only type of land assessed was that on which sugarcane, hemp, indigo, onions, garlic and turmeric were grown, and annual taxes varying from 8 as to Rs 2 were levied on measured strips of such land. The revenue on grain and other produce was levied at one uniform rate throughout the kingdom, every plough drawn by a pair of buffaloes being liable to a tax of ten tins⁽¹⁾ annually, and as the province abounded with paddy fields as many as 3000 ploughs were yearly employed in cultivation. No reliable information could be obtained about the manufacture of salt, the other staple product of the province, but it is probable that as most of the houses in Arakan were situated on the banks of salt water creeks, the inhabitants were able to obtain that necessity for themselves, and only manufactured enough for their own use,⁽²⁾ In March 1826, therefore, the Government of Bengal appointed

(1) Scott, A Handbook. p 331. The basket or tin and its submultiples are the recognised measures for grain in Burma. The tin has been standardised in Burma proper, and measures 8 gallons or 36.386 litres.

(2) Selected Correspondence, Tenasserim p. 241. Explanatory Notes to Draft of Salt rules, Clause D, drawn up by Governor-General in Council in about July 1828. "It is known to Government that the villages or habitations of the people of Aracan are all situated on the banks of salt water nullahs or creeks by which the forests of that province are intersected"

Richard Hunter, who had been Secretary to the Board of Revenue in Bengal, Salt Agent (in Arakan⁽¹⁾) for the express purpose of investigating and controlling the manufacture and export of salt.

Next in importance to the tax on ploughs and land, was the tax paid for the privilege of fishing in the numerous streams, tanks and fresh water lakes of the province. The inhabitants of every thirty houses paid an annual tax of Rs 2 for the fishing rights of certain ponds or lakes, while nets and fishing stakes in rivers were assessed according to their size and extent. The revenue the Burmese derived from the farm of fisheries amounting to about Rs 20,000 per annum,⁽²⁾ a not inconsiderable sum when we take it into account the general decline in the prosperity and revenue of the province since the Burmese conquest in 1784. Teak wood was obtained from the hills near the sources of the 'Kuladin' and 'Mrosay' rivers, but the difficulties of transportation from the interior to the sea-ports, enhanced its price in Arakan, and so the province has never provided considerable supplies.

(1) Bengal Sec. and Pol. Cons. 9th June 1826. No. 11
To Swinton from Hunter, dated 4th May 1826.

(2) Bengal Sec. and Pol. Cons. 9th June 1826. No. 10.

Though not so stated in the early reports, it is highly probable that fruit trees and garden produce were also taxed in Arakan as in other parts of Burma, but as in Tenasserim, these taxes must have been trifling in amount, and subject to the caprice of individual officials. The Arakanese, living as they did along the coast, and having developed their own type of boats known as jelliaes ⁽¹⁾ in the seventeenth century must have carried on some trade with the mainland of India, and we know that private traders often expressed a desire to trade with the province because of its rice and also because it was a gateway into the kingdom of Ava. During the seventeenth century among the servants of the East India Company who carried on a 'clandestine trade' with Burma, we read of a certain Henry Sill, "who when attached to the factory at Armagon, carried on an extensive business in exporting coramandel cloth to Pegu, Arakan and Tenasserim through the company's agents

(1) Hall. Early English Intercourse with Burma. p 49. A reference is here given to the "Kings of Arrackans jelliaes (or small boats of war).

Also, Robertson. Political Incidents. p 8. The natural occupation of the Maghs was on the water, wrote Robertson, and "they went forth annually at the end of the monsoon in quest of employment as carriers of merchandise between the various towns and marts in Bengal ..."

at Armagon." (1) Paton discovered a customs house at Mrohaung and five 'customs chokeys' in different parts of the province, four of which were farmed out, while the fifth which was at "Lumroo Kheon" remained in government hands. An inventory of imported and exported goods was usually kept by the customs officials in Arakan, and duties were levied in kind at ten per cent, "unless a pecuniary arrangement had been entered into which was not an uncommon custom." (2) The revenue that might be derived from customs duties was roughly estimated at Rs 50,000 per annum and both Paton and Robertson strongly advocated the levy of import and export duties without delay. (3) They realised that if the rice and salt of the province were produced in large quantities, the export trade would have to be strictly controlled by government. Though their expectations from the salt trade were doomed to disappointment, their hopes regarding the export of rice materialized, and Akyab is now one of the rice ports of the world. (4)

(1) Hall, Early English Intercourse with Burma. p 50.

(2) Bengal Sec. and Pol. Cons. 9th June 1826. No. 10. Paton's Report.

(3) Idem. Paton's Report.

Also. Bengal Sec. and Pol. Cons. 9th June 1826. No. 12. Letter to Government of Bengal from Robertson, dated 26th May 1826.

(4) Scott, A Handbook. pp 284-9. Exports of Burma. Rangoon has supplanted Akyab as the chief rice port of Burma.

Other sources of revenue in the province were the farm of five public ferries amounting to about Sa Rs 400 per annum, the farm of seventeen large 'nullahs' the nature of which Paton did not specify, but which were most probably prized for the salt obtained from them the farm of the privilege of collecting bees-wax, timber, tobacco, cotton and bamboo grown on the hills, and also the monopoly of the 'Poojoung' a sort of twilled cloth made by the hill people, and much prized by the inhabitants of the plains; the revenue from all these sources amounting to about Sa Rs 8000 per annum. A government mint, established most probably by the Arakanese themselves, existed at Mrohaung and the inhabitants often took bullion to it to be coined, paying a 5% duty to the state, but the process of coinage was so slow, that, the whole establishment could not turn out more than Rs 2000 a day. (1)

Robertson must have left Arakan sometime in April 1826, after Hunter's appointment, for in May 1826 we find the Bengal Council addressing a letter to him in Calcutta, and asking him to state his views about the future government of Arakan. Paton who had temporarily fixed his head-

(1) Bengal Sec. and Pol. Cons. 9th June 1826. No. 10. Paton's Report.

quarters at the town of Akyab,⁽¹⁾ was still sub-commissioner, while his assistant Philipps remained in charge of the three districts of Ramree, Cheduba and Sandoway. Detachments of troops from General Morrison's army were stationed at Ramree, Cheduba and Amherst Island,⁽²⁾ as no special spot had yet been selected for the military headquarters of the province, the old capital being considered unsuitable for such a purpose owing to its distance from the sea, and the difficulties of establishing good communications between it and Chittagong. Robertson pointed out that the first great factor to be reckoned with in deciding the future government of Arakan was its general unhealthiness for Europeans, and natives of Hindustan. The northern portion of the province, i.e. the tract of Arakan proper was especially so, and although the town of Akyab was admirably suited for a civil and military headquarters, the fatal effects of its climate precluded all ideas of making it either the site of a cantonment or the headquarters of government.⁽³⁾ He therefore suggested that the administration of northern Arakan, the tract of country now known as the Akyab district, should be entrusted to a native of Arakan,

(1) Bengal Sec. and Pol. Cons. 12th May 1826. Nos. 13 and 14.

(2) Bengal Sec. and Pol. Cons. 16th September 1831. No. 21.

(3) Bengal Sec. and Pol. Cons. 9th June 1826. No. 12.

To Swinton from Robertson dated 26th May 1826.

preferably a myothugyi, who would be controlled by the head European official, who should fix his residence in one of the more healthy southern stations. A son of Chin Pyan (Kingberring) who was still considered by the Arakanese, the last of their line of kings, might be selected to fill the post, while the European establishment of the province should consist of two commissioners and three assistants. The senior commissioner, Robertson thought, should control the revenue and salt arrangements of the province, while the junior should direct his attention to the administration of justice and police.⁽¹⁾ The exiled relatives of Chin Pyan could render invaluable aid in the whole scheme, and might therefore be brought back to Arakan.⁽²⁾ As far as the native establishment of the province was concerned, Robertson advocated the maintenance of thugyis as local officials in charge of the police of their divisions, but did not lay down any detailed suggestions about their powers, as he did not at the time possess enough information about the former village system of government.

The Governor-General in Council acting on Robertson's advice, appointed Hunter and Paton commissioners in Arakan, Hunter, as senior, being placed in charge of the revenue and salt department with an increase of salary from Rs 40,000 to Rs 45,000 per annum, while Paton, as junior was to control

(1) Idem.

(2) Idem.

the administration of justice and police, his salary also being raised from Rs. 24,000 to Rs 30,000 per annum.⁽¹⁾

Instead of the three assistants mentioned by Robertson, two were considered sufficient for the province; Lieutenant

Gordon of the 24th Regiment Bengal Native Infantry was therefore appointed on a salary of Rs 1000 per mensem,⁽²⁾

while Captain Philipps was retained in his post. A medical officer, Dr. Carr, was attached to the commission as Civil Surgeon.⁽³⁾ The Bengal Government, concurred in the

withdrawal of the 61st Regiment of Bengal Native Infantry from Akyab, but insisted that the town was not to be abandoned without a fair trial, for although its climate like that of Chittagong and other stations in the south-eastern parts of Bengal, might "prove detrimental to the health of the natives of the upper provinces, there is still ground to hope from the testimony of Mr. Paton and others that it is by no means unfavourable to the European constitution."⁽⁴⁾

A glance at the map will show that the persistency of the Bengal Government with regard to the maintenance of Akyab as a town of importance has been justified, for with improvements under British rule the town, although still unhealthy

(1) Bengal Sec. and Pol. Cons. 9th June 1826. No. 15. Resolutions of Governor-General in Council. Resol. 111

(2) Idem.

(3) Idem.

(4) Idem. Resol. 1.

during the monsoon, has become one of the most flourishing sea-ports in Burma, and the headquarters of the Arakan division of Lower Burma. The Supreme Government also issued instructions for a portion of the Flotilla and Marine battalions maintained in Arakan since the war to be employed off the Island of Akyab and hoped that when the Magh Levy was increased and strengthened, it would prove a sufficient force for the defence of the Akyab district. (1)

Notwithstanding all these arrangements for the administration of Arakan, the Bengal council could not be sure that the home authorities would decide on its retention though they were positive that British influence must always be maintained whatever the future government of Arakan might be. They were therefore willing to consider the experiment of setting up a subordinate Magh administration on the lines suggested by Robertson, and Hunter and Paton were even instructed to discuss the scheme with influential Magh chiefs though the latter were instructed to be particularly careful to refrain from giving the Magh chiefs the impression that Arakan would be restored to the Burmese should the scheme fail, and should the British decide on evacuation. All ideas of setting up a subordinate native administration in Arakan, like their counterpart in Tenasserim, were abandoned the following year, partly because a competent native ruler could not be found, but chiefly because the Secret Committee in 1827

(1) Ibid. Resolution 11.

sent out orders for the retention of the province. In this respect the administrators of Arakan had a good start over Maingy in Tenasserim, for they knew at least six years before he did, that the province they were ruling was to become an integral part of the dominions of the East India Company, and even if it did cause them to stumble in their regard for indigenous institutions it also gave to their new measures a quality of definiteness and administrative development which the measures instituted in Tenasserim lacked. On the other hand, the government of Arakan was certainly imposed on the people and was essentially of "the regulation" character while the government of Tenasserim was moulded by its subjects, and even if it fell short in method and precision, was more truly expressive of the nature and customs of the governed.

In the course of the year 1826, Hunter and Paton began their work for the settlement of the province. Many of the Bengal troops stationed at Cheduba, Ramree and Amherst Island were embarked for Calcutta, only one regiment of Native Infantry the 68th, being retained at Sandoway with detachments at Ramree and Akyab. Government buildings were begun at Akyab and Captain White, executive engineer in the province, continued his work of opening up a good road of communication between the province and

Chittagong. The system of compulsory labour, so common under the Burmese, had to be continued as free labourers were scarce, and the introduction of police tannahs along the frontier posts, gave rise to the employment of natives of Chittagong and Bengal, a measure much regretted by the Bengal Coucil in all their early letters, but which the commissioner explained was imperative, owing to the ignorance of tannah duties on the part of native Maghs. The introduction of regulation methods of administration therefore, largely entailed the employment of natives of the regulation province for their enforcement.

At the end of December 1826, about six months after their appointment as commissioners, Hunter and Paton began their measures for the institution of a revenue settlement in the province. Hunter who had been secretary to the Board of Revenue in the lower Provinces ⁽¹⁾ at the time of his appointment to the Salt Agency of Arakan, must have possessed a good working knowledge of the Bengal Revenue system, but unfortunately, "he was a man of those ordinary business qualifications which make useful public servants in settled offices the duties of which are clearly defined and well understood," ⁽²⁾ and lacked ingenuity, while Paton

(1) India Register.

(2) Kaye, Administration of the East India Company. p 444.

"a man of gigantic stature" who had held the office of police magistrate in Calcutta before the war "talked better than he ruled."⁽¹⁾ At the end of 1826 therefore, the two men set out on a general tour of the whole province in order to collect information and to make a revenue settlement with the land-holders, and the nature of their achievements may be gathered from the very first report they submitted to government in July 1827.⁽²⁾ To begin with, in reporting their revenue arrangement in Arakan, they glibly use Bengal revenue and judicial terms for most of the Arakanese officials and institutions, referring to kyouks and thugyis as "zemindars" and "paradars" and to cultivators as "ryots" while the police officers in the province are often called "darogahs" and their helpers, "peons". It is obvious that in many cases, no clear distinction between the nature of Burmese and Bengal officials existed in their minds, while in many others they strove to obliterate the differences they found and bend Arakanese conditions to suit the Bengal system of government. They undoubtedly failed to grasp that the one redeeming feature of the former system of government, even though that feature itself was steeped in corruption, was

(1) Idem. pp 443-444.

(2) Bengal Rev. Cons. 23rd August 1827.

the usefulness of the village as an administrative unit, and of its inhabitants as peasant proprietors. The village system of government implied the collective responsibility of its inhabitants, and the thugyi of a circle, or a headman of a village, was only the agent of government for enforcing this responsibility, and even when hereditary should not have possessed more extensive powers than the inhabitants wished to give him, but which he had possessed because of the inefficient despotism of the central government. Maingy and Fullerton, because of their previous experience had been able to pick out the merits of the former system of government, and had maintained the village as the administrative unit, while they had solved the big distinctions between the size of village groups and the status of thugyis and myothugyis by the gradation of these men into three classes. They had never dreamed of recognising large estates or even of creating them in any way that Hunter and Paton did chiefly for purposes of convenience in the collection of revenue, and although subsequent administrators of Burma have criticised the gradation of circle headmen they have utterly condemned the establishment of a class of propie-

tory landlords to act as middleman between the actual cultivators and government.

The first step in the new revenue settlement was the issue of a proclamation by Hunter and Paton on 26th December 1826,⁽¹⁾ informing the kyouks and thugyis of Arakan that the purwannahs they had received from Robertson applied only to the ensuing year, and that "a settlement with the assurance of permanent possession of the land revenue, including Julkur,⁽²⁾ Fulkur and the Sayer and various other sources of revenue including rivers, "was now to be made with the kyouks for three years dating from 12th April 1827, and at the end of the latter period a new settlement would be entered into with the same parties and their heirs. In the meantime, no demands for land revenue for the previous two years, that is, from April 1825 to April 1827, would be made. The commissioners then went on to say that "th kyouks and their heirs

(1) Bengal Rev. Cons. 23rd August 1827. No. 18. To Govt. of Bengal from Hunter and Paton dated 23rd July 1827.

(2) Wilson, Glossary. s.v. Julkur "Profits on rents derived from the water, lakes, ponds, or the like, upon a tract of country or an estate with the right of fishing and of cultivating the beds if dry."

shall not be dispossessed without proof in the commissioner's court of having been guilty of heinous crime,"⁽¹⁾ and laid down certain conditions defining the relative rights of kyouks and paradars, and instructing the kyouks to make "as proportionately easy settlements with their ryots" as government made with them.⁽²⁾ They then submitted to the Supreme Government a copy of a proclamation which they proposed to issue for the establishment of the triennial settlement with the kyouks, and although they provided in the proclamation for claims to separation of "talooks on a footing of independence," they foolishly concluded the proclamation with the following clause:- "The present zemindars may rest assured that so long as they continue to fulfil their engagements, and to treat their subordinate Malgoozars and ryots with due consideration, their rights will be faithfully maintained."⁽³⁾ The whole tenor therefore of the new land revenue arrangements was that of converting the kyouks and thugyis of Arakan into zemindars with proprietary and hereditary rights to the lands under

(1) Idem.

(2) Idem. No. 7.

(3) Idem.

their jurisdiction, thus entirely subverting the original order of society, chiefly for purposes of convenience in the collection of revenue. That Hunter and Paton intended to set up landlords with large estates is indisputable, for in justifying their action to the Supreme Government, they wrote, "In concluding the triennial settlement, we changed the designation of kyouks to that of zemindar, in consequence of the kyouks declining to pay revenue for the lands in their former tenure which was that of a Tuhseeldar or Agent of the ruling power, for levying quotes of men and supplies for the public service....."⁽¹⁾ and again, "We demand it politic as far as practicable to enter into engagements only with such, as either from their respectability, influence or known wealth, we could depend upon, and by styling them zemindars, and giving them a proprietary and hereditary right in the soil, so long only as they continued to fulfil their engagements to the state, we did not conceive that by so doing, we had compromised the prerogative of the government....."⁽²⁾

The Bengal Government however, thought otherwise, and in reply strongly disapproved the measures of the commissioners. The remission of all revenue from April 1825-1827, was looked upon as an unauthorised act, while

(1) Bengal Rev. Cons. 22nd November 1827. No. 6. To Government of Bengal from Commissioners in Arakan.

(2) Idem.

the establishment of zamindari rights was condemned in the following words; "The Vice President in Council does not in the least object to your having used the instrumentality of the kyouks in the first management of the revenue of the province, but that you should have thought of making them a gift of the proprietary right and of pledging yourselves to its perpetuity, without first referring the point to government for orders, betrays an extraordinary ignorance of the constitutional authority under which you acted. The Government itself could not have done such a thing otherwise than subject to approval by the authorities in England....."(1) Then although due allowance was made for the motives which had guided the commissioners in the settlement, the method by which the commissioners proposed to ensure the collection of revenue was disapproved, and prompted undoubtedly by their knowledge of the conditions in Tenasserim, and the efficacy of the measures introduced by Fullerton and Maingy, the Bengal Council issued instructions for a "special abrogation by proclamation" of the pledge given to kyouks and thugyis.(2) The commissioners were instructed to

(1) Bengal Rev. Cons. 23rd August 1827. No. 19. paras 5-6. To Commissioners in Arakan from Govt. of Bengal.

(2) Idem. para 7.

inform the kyouks and thugyis that the triennial settlement for the three years 1189-1191, Magh era, (1827-30) had been confirmed by the Supreme Government, but that that part of the proclamation which assured to the kyouks "a perpetual possession" and an heritable alienable interest in their lands and in Julkur, Bunkur and Fulkur of these lands had been revoked and cancelled, while at the next settlement the claims of cultivators to make direct engagements for the revenue of their lands would be considered by government, as no obligation existed to renew the engagements of the present holders.⁽¹⁾ The levy of the Julkur was confirmed while the taxation of the hill tribes was sanctioned, provided the officials in Arakan entered into direct negotiations with the chiefs of the tribes, and did not leave the latter to the mercy of the kyouks, as the Garrows and hill races of Bhaugulpur had been left to that of the Bengal zemindars.⁽²⁾

With the exception of the land revenue, the Julkur, and the taxation of the hill tribes however, no other mode of taxation introduced by the commissioners was confirmed. The Bengal Council were extremely dissatisfied with the way in which unoccupied lands had been dis-

(1) Idem. para 7.

(2) Idem.

posed of or sold, while the salt arrangements entered into by Hunter were considered unproductive and unwise for a province like Arakan. In some cases village lands had been sold to private individuals, such as Serampore missioneraries who had bought a village called "Kooroodi" at the rate of one Sicca rupee per 1920 square yards, or else, as in the Akyab district, purwannahs of kyoukship had been granted to private individuals, while the greater portion of the Island of Akyab itself had been rented out to cultivators for the small sum of Rs 1 per Kani,⁽¹⁾ for the land under cultivation.⁽²⁾ The Supreme Government considered this alienation of public lands by sale and gift opposed to all recognised principles of revenue management in the territories under their control, especially as most of it had been done without previous sanction, and a detailed statement of all lands in the Akyab district was demanded,

At the same time as the land revenue settlement was made with the kyouks and thugyis, Hunter also entered into arrangements with them for the manufacture and supply

(1) Wilson, Glossary, s.v. Kani. A land measure in Madras, the Carnatic and the south-eastern provinces of the peninsula equal to about 57,600 square feet. In Cuttack the Kani is only a hand's-breadth.

(2) Idem.

of salt for the same three years,⁽¹⁾ He found it extremely difficult to get accurate information about the tracts in which salt could be manufactured, or about the cost of production, but he considered it necessary to ensure the manufacture of a certain quantity for export, over and above the amount actually required by the people themselves. He therefore proposed to set up in places convenient for shipment, government 'churs' to which the kyouks were to send their 'ryots' to manufacture the article. He fixed the government rate at Rs 25 for 100 maunds of salt, and concluded a settlement with the kyouks of each district as follows:-

For the district of Arakan	100,250 maunds
" " " " Ramree and Cheduba	209,000 "
" " " of Sandoway and Tongkwen	<u>125,600</u> "
Total	<u>434,850</u> "

All the 'zamindars' were included in this settlement, but the zamindars in the Arakan district soon found that they could not conveniently send their cultivators away from their estates to manufacture salt at the low rate of four annas per maund, for it often entailed a long

(1) Bengal Rev. Cons. 22nd November 1827. No. 7. Letter to Board of Customs, Salt and Opium from R. Hunter.

journey for the ryots, and the consequent neglect of the village lands. They therefore applied for permission to pay the government demand in money instead, offering as much as twelve annas per maund to enable the commissioners to procure coolies from Chittagong and elsewhere for the manufacture.⁽¹⁾ Hunter had accepted this offer of the Arakan kyouks, while the original rate of four annas per maund was maintained in the districts bordering on the sea coast and in Ramree and Cheduba. He suggested that government might employ a vessel to convey the salt to places on the Hooghly, and expected Arakan to produce about five lakhs of maunds annually.

This Salt arrangement exasperated the Bengal Council exceedingly, for they strongly objected to the importation of coolies from Chittagong, a measure which the Board of Customs Salt and Opium peremptorily forbade, while the offer of three times the original price on the part of the Arakan kyouks, only pointed to the entire inefficiency of the whole scheme.⁽²⁾ Besides, the Governor-General in Council, resented the idea that the profits realized at

(1) Idem. The money to be tendered in four annual kists.

(2) Bengal Rev. Cons. 22nd November 1827. No 9. Letter from Govt. of Bengal to Commrs. in Arakan.

the Calcutta sales should be regarded as an item in the revenue of Arakan. "The amount", they wrote, "consists so far as it exceeds the cost price of the articles to government, of a tax paid by the inhabitants of Bengal and levied in the form of monopoly supported by severe restrictions and prohibitions - as well might Madras take credit for the salt forwarded from that Presidency, or the amount levied on the people of England, through the medium of the existing tea sales be called a contribution from China, as Arakan have placed to its credit, the proceeds of its salt at the Calcutta sales." (1) They believed that Arakan should be given credit for the salt it produced at the highest rate at which similar salt is produced in Bengal, (2) and that no contracts should be established as such a system would only engender competition among the kyouks for labourers of the same class; freedom in manufacture and export were the ideals to be aimed at for Arakan, for these would stimulate the manufacture of salt and exempt the government from heavy expenditure.

Then, the Supreme Government was also most concerned about the heavy charges involved in the boat

(1) Bengal Sec. and Pol. Cons. 27th June 1827. No. 35. Extract from Proceedings of Vice President in Council dated 14th June 1827.

(2) Idem.

establishment which cost about Rs 10,000 per mensem and which was no longer necessary for military duties as the forces had been much reduced, though the civil authority still required a few gun boats and accommodation vessels for touring the province and attacking dacoits. They therefore called for detailed statements showing the station and duty of each boat and size and cost of its establishment, and thus a rigid system of centralisation was also begun in Arakan as in Tenasserim and every petty item of expenditure had to be sanctioned.

The judicial measures of the commissioners had not made much progress, and the abuse of employing in the courts foreigners, natives of Bengal and Hindustan had crept in. The commissioners' reports on their judicial innovations are extremely scanty, they do not appear by the end of 1827, to have laid down any definite rules about the civil and criminal powers of officials. They report the employment of the kyouks and headmen in all petty disputes, and the continuance of the partially feudal authority of these officials over the villagers residing within the area of their jurisdiction,⁽¹⁾ a measure which was proving most effective, especially in cases of disputed boundaries of estates; on the other

(1) Idem.

hand, they found the "police darogahs" of tannahs which they had established along the frontier, indispensable in criminal cases of dacoity and murder, for they acted as a check on the powers of the kyouks, and were often able to prevent deceit in the land revenue arrangements.⁽¹⁾ This division of civil and criminal powers might have worked extremely well had all the police darogahs appointed been native Maghs, but unfortunately, Bengalis and Chittagonians often obtained the posts, and many of the abuses of the Regulation provinces became rife. In May 1828, we find Hunter and Paton reporting that, in spite of the simplicity of their proceedings and their abstention from the appointment of "regular wakeels" in the courts, litigation was increasing owing chiefly to the "very great influx of needy adventurers from Chittagong, a class of men intriguing Sirkars whom it is by no means the interests of government to encourage"⁽²⁾ while the Maghs themselves appear to have been litigiously inclined, and had their own pleaders for law suits.⁽³⁾

At the end of 1827 therefore, the Supreme Government,

(1) Bengal Sec. and Pol. Cons. 3rd July 1828. No. 6. Letter to Govt. of Bengal from Commrs. dated 22nd May 1828.

(2) Idem.

(3) Idem. Crawford and other early writers on Burma often refer to the advocates, "shene" employed by the Burmese to plead their cases before the provincial courts. Crawford, Journal, p.412. The customary fee of a shene was 5 ticals

feeling itself utterly incapable to draft rules at Calcutta for the better administration of Arakan, which had made no headway at all since the acquisition of the province, deputed William Blunt, late commissioner in Cuttack and recently appointed puisne judge of the courts of Sudder Dewanny and Nizamat Adawlut as Special Commissioner to Arakan, for the express purpose of drawing up a new scheme of revenue and judicial management, based on the system of the regulations, wherever the latter were to be found applicable. Thus, the administration of Arakan during the period 1826-33, owing to the mistakes of its earlier commissioners, was not a free and natural growth, suited solely to the life and conditions of the people, like the administration of Tenasserim between 1826-1833. It had to be imposed on the governed from above, and so had to conform to the general rules of administration of the other territories of the East India Company, instead of maintaining a distinctive character.

Blunt remained in Arakan for about a year, ⁽²⁾ touring the province, trying to obtain an insight into a hitherto

(1) India Register 1826 and 1827.

(2) Bengal Rev. Cons.

unknown type of society and country, while at the same time applying the principles of the Bengal administration wherever possible. He began his investigations in the district of Arakan proper and then visited the districts of Sandoway, Ramree and the Islands of Cheduba, devoting special attention to the nature of the land revenue assessments. His first criticism of the revenue work of Hunter and Paton was that, in most cases, it was distinguished by over-assessment.⁽¹⁾ In the absence of a regular survey of lands, Hunter and Paton had resorted to the old Burmese method of taking the opinions of punchayets of thugyis,⁽²⁾ in preference to employing native ameens of Chittagong, and as it was impossible to obtain accurate details of the exact quantity of land under cultivation, they had retained the indigenous system of a capitulation tax on each house-hold engaged in cultivation, instead of a direct tax on land. They realized that by the employment of this method many houses and even villages must have escaped taxation, while it was certain, that the Magh subterfuge of crowding several families into the same house, must have been largely

(1) Bengal Rev. Cons. 21st Feb. 1828. No 10. Blunt's report dated 5th Feb. 1828.

(2) Ibid. 3rd July 1828. No. 5. Commissioners Report dated 22nd May 1828.

practiced. Many of the kyouks and thugyis too, in order to gain their posts had quoted extraordinarily high figures for the assessments, and the general results was distress and inability to meet the government demands.⁽¹⁾ The desertion of whole villages by their inhabitants was becoming frequent. On 15th September Captain Philipps writing from Ramree, complained that "a number of villagers have left their houses, and I am informed that a whole para, consisting of 80 houses have fled."⁽²⁾ He was making great efforts to collect the revenue, but the assessments in Ramree were as high as Rs 32 or Rs 45 per annum, and up to the 31st January 1827, there was a heavy balance due from Ramree and Cheduba of Rs 101,010, while Rs 96,350 still remained unpaid in Sandoway and Tongkwen.⁽³⁾ Petitions came pouring in to Blunt from all parts of the country, and even Hunter and Paton had to admit that the complaints were not without foundation. Blunt classified the complaints as follows :- first, complaints of overassessment; second, claims for entering into direct revenue engagements

(1) Idem.

(2) Bengal Rev. Cons. 21st Feb. 1828. No. 10. Blunt's report dated 5th Feb. 1828. Para 5.

(3) Idem. Para 5.

with government, and the abolition of middlemen; third, a very common grievance, many kyouks complained that other kyouks had enticed away their cultivators; fourth, discontent, over the way in which lands had been divided and new thugyis appointed; fifth, claims by myothugyis to hereditary possession of certain lands, and finally, applications by natives of the province for posts in the revenue and salt departments, in which many natives of Bengal and Chittagong held office.⁽¹⁾

Blunt referred many of the petitions to the commissioners, as he had not the time to deal with them, but suggested that for the present the only possible course was remission of land revenue throughout the province, and for the future, a settlement with each district "for such periods as may not simultaneously expire, as you will thereby be enabled to give your undivided attention to each district in succession as the period for forming a new settlement shall arrive."⁽²⁾

Then like Maingy in Tenasserim, Blunt severely criticised the introduction into the province of the Abkari tax. This source of revenue much debated by all

(1) Idem. para 11.

(2) Idem.

early British officials in Burma, has finally become an item in the taxation of the country subject to the control of an excise department, but it is difficult to know how many of the early objections to its introduction in Arakan and Tenasserim were based on good grounds, for I have not been able to obtain accurate statistics of the consumption of liquor and drugs under Burmese rule, although we know that the Chinese inhabitants of both provinces were the main consumers and retailers of both opium and alcohol. Blunt's line of argument was almost identical with that of Maingy.⁽¹⁾ He also pointed out that, in theory, the Burmese government had prohibited the use of intoxicants and drugs, and that as the practice was forbidden in both civil and religious codes, most people had abstained from them. He even added, though this statement is questionable, that "intoxication was a vice to which the people of the province were by no means addicted, and which was seldom known",⁽²⁾ and that since the introduction of licences for the manufacture and sale of liquor and opium, the town of Ramree was subjected to

(1) See Selected Correspondence. Tenasserim pp 61-2 and p 108.

(2) Bengal Rev. Cons. 21st Feb. 1828. No. 10. Blunt's Report dated 5th Feb. 1828 para 26.

"disgraceful scenes of drunkenness and disorder, which crimes have there of late rapidly increased, especially dacoities, which are stated to have been unknown during the Burman government" ⁽¹⁾ Captain Philipps, the assistant at Ramree, had been so convinced of the evil effects of licensing opium that he had wisely refrained from disposing of the supply which the commissioners had obtained from Calcutta and sent to him. ⁽²⁾ On the whole, Blunt considered it probable that the Abkari might have to be introduced after a few years, but he was sure that its introduction in 1827 was unnecessary and premature.

The Judicial and Police establishments were then inspected, and Blunt was much displeased to find that many Indians of the Regulation provinces had been employed in them. He pointed out that in the tannah establishment of Cheduba for instance "eighteen, out of the twenty burkundazes employed, were Mussulman natives of Hindustan and Bengal receiving Rs 5 per month, while the pay of the common coaley was Rs 10", ⁽³⁾ and as communications with Cheduba were practically cut off for four months in the year, such a tannah establishment would be worse than useless. As the tannahs at Kwa and

(1) Idem.

(2) Idem. para 27.

(3) Idem. para 30.

An were too far away to be efficiently controlled by the assistant at Sandoway. Blunt suggested that the portion of country around An should be constituted a separate district, while the long expanse of 250 miles which composed the Sandoway district, might also be split up. ⁽¹⁾ Both these suggestions were later carried out. Unfortunately, during the past year, there had been a rapid increase in dacoity, especially in the district of Ramree where the various creeks and nullahs afforded facilities for attacks, ⁽²⁾ and Blunt felt that the police establishment of Arakan would have to be augmented and a few light and swift rowing boats or gun boats employed to act as an effective check to the incursions of these robber bands. When he attempted to learn the cause of the increase in dacoity and other crime by questioning the people of Ramree, he was told that many of the robbers were discontented and idle men of the Magh Levy which Hunter and Paton had disbanded, ⁽³⁾ while others were new settlers of questionable character from Chittagong, or people addicted to liquor, or those impoverished by overassessment and the exactions of the

(1) Idem. para 32.

(2) Idem. para 33.

(3) Idem.

kyouks. It is probable that all these causes contributed to the increased prevalence of crime, for when Philipps was succeeded by Captain Dickinson in 1828, and a more efficient police and more equitable assessment had been established, Ramree became one of the best managed and most progressive of the districts in Arakan. After Blunt's visit too, the annual police reports sent to the Supreme Government from Arakan became more detailed and methodical, and the assistants in the province were supplied with registers which they were instructed to keep in their offices for all civil and criminal business; before 1828, all original records had been sent to the commissioner at Akyab and no copies had been kept.

Blunt also directed his attention towards selecting a suitable site for the military headquarters of the province, the only regiment of Bengal Native Infantry, the 68th, being then stationed at Sandoway, only because it had happened to land there on its arrival from Calcutta. The Special Commissioner however, was much impressed with the site of Kyaukpyu on the northern coast of the island of Ramree, and on the advice of Lieutenant White who had been appointed Executive Engineer and Lieutenant Colonel Wood, the 47th Regiment of Native Infantry, which had relieved the 68th Regiment, was transferred to Kyaukpyu

(1)
before May 1828. Two companys of the regiment were
later sent to Akyab, and two to Sandoway, and a few
guards from it did duty at the town of Ramree. (2)
By August 1828 also, Lieutenant White reported the comple-
tion of the whole length of road from Ramoo in Chitta-
gong to the Naaf river in Arakan, via Ratuapullung, with
suitable bridges over all the nullahs, (3) a piece of
work which greatly facilitated the "dawk communications"
which after this became frequent and regular, (4) A
new road from the town of Akyab to the Naaf had also
been completed by police officers in June, (5) and over
twenty-three bridges had been repaired and widened, (6)
but the province still lacked proper means of communi-
cation between the northern and southern districts.

At the end of 1827, and shortly after Blunt's
arrival, Hunter and Paton had made a circuit of the
districts, partly to try the notorious dacoit leader

(1) Bengal Sec. and Pol. Cons. 16th Sept. 1831. No. 31
Letter to Jenkins and Pemberton from Captain White, dated
6th April 1831.

(2) Idem.

(3) Bengal Sec. and Pol. Cons. 16th August, No. 29. Letter
from Lieut. White to Blunt, Enclosure.

(4) Ibid. 18th July 1828. No. 3. To Govt. of Bengal
from Blunt dated 10th June 1828

(5) Bengal Sec. and Pol. Cons. 18th July 1828. No. 3. Letter
from Blunt to Govt. of Bengal, dated 10th June 1828 with an
enclosure.

(6) Idem.

"Phonsowe" and his followers who had terrorised and extorted large sums of money from the villagers in

(1)
Ramree, and partly to review the working of their triennial settlement with the kyouks and thugyis. They were extremely disappointed to find that, in almost every case, "the collections had fallen far short of the Government assessment, and the collections of the later kists of the season were indeed very trifling." (2)

They were therefore obliged to cancel the triennial settlement, and grant "purwannahs of soogeeship" for the current year only, reducing the total assessments for the province from Rs 170,000 to Rs 99,130, (3) and recommending that, owing to a scarcity of coin in the country, and the abundance of grain in the northern districts, the kyouks should be allowed the option of paying their revenue in paddy. (4) This suggestion however was not adopted, and

(1) Bengal Rev. Cons. 3rd July, 1828, No. 5. To Govt. of Bengal from Commrs. in Arakan dated 22nd May 1828.

(2) Idem.

(3) Idem.

(4) Idem. During the latter half of 1827 much grain had been exported from the Akyab district to relieve the distress in Sandoway where there was a scarcity owing to the influx of new settlers. The average price of grain during this period was that of 6 or 7 maunds for a Rupee, but the commissioners reported that the price fell below this when the monsoons prevented much exportation.

the capitation tax remained the chief mode of taxing land-holders. The commissioners hoped however, in the following year, to realise about Rs 340,000 from the land revenue and miscellaneous sources such as the Abkari, Judicial fees, and the Birds Nest farm of the islands and the customs duties on goods imported into Ava via the An and Talak passes, a sum which would just cover the annual expenses which in 1828 for the whole province amounted to about Rs 325,000.⁽¹⁾

In the meantime the result of failure to realize even half the expected amounts from grain and salt in 1827-1828 and the suggestions and criticisms of Blunt induced the Supreme Government in May 1828, to undertake a reorganisation of the European establishment of Arakan, while definite rules modelled on those drawn up by Blunt were issued for the use of officials in the revenue and judicial departments.⁽²⁾ As the manufacture and sale of salt did not appear to require as much special super-

(1) Idem. paras 19-20. The establishments of the province in 1827 had cost Rs 562,400, but the charge for a bataillion of regular soldiers hitherto borne by Arakan, was now included in the charges for the forces maintained along the south-eastern frontier of Bengal, and thus Arakan was relieved of an annual expense of Rs 240,000.

(2) Bengal Sec. and Pol. Cons. 30th May 1828 No. 29
Letter to Blunt from Govt. of Bengal dated 1st May 1828.

vision as was required in Bengal, Hunter was recalled, Paton was appointed local commissioner "with undivided responsibility for his own acts and orders and subject to the immediate control of a superior, to whom he shall fully and regularly account for his proceedings, and by whose orders he is to be guided in all cases in which he may receive them."⁽¹⁾ Blunt acted as Paton's superior till September 1828, when he was ordered to resume his seat in the Sudder Dewanny Adawlut owing to pressure of business at Calcutta.⁽²⁾ Captains Dickinson and Gordon, the assistants in charge of Ramree and Sandoway respectively, were retained in their posts, and strict economy in the military establishment was ordered. Instructions were issued for the abolition of the system of forced labour which the commissioners had been obliged to continue for the construction of jails and court-houses, and in imitation of the practice in the Tenasserim provinces, convicts sent from Bengal were employed on public works.

The substance of the rules for the administration of justice, drawn up by Blunt, and revised by the

(1) Idem.

(2) Bengal Rev. Cons. 12th Sept. 1828, No. 8. Resoln. of Governor-General in Council.

(1)
Governor-General in Council, was as follows :- the officials to be vested with civil jurisdiction were the local Commissioner, his two assistants, the myothugyis and the kyouks and thugyis of circles. The Commissioner was empowered to try cases of over Rs 1000 in value, while all suits under this amount were to be tried by his assistants, whose civil powers were therefore similar to Maingy's assistants at Mergui and Tavoy. The appointment of a deputy commissioner was not even mentioned in the rules, owing undoubtedly to the inadequacy of the revenues at the time to meet the cost of government, and the expense involved in maintaining a Special as well as a Local Commissioner, but in the rules for Arakan as in Fullerton's regulations for Mergui and Tavoy, people who instituted "vexatious" or "groundless" suits were
(2)
liable to fine or imprisonment. Suitors in Arakan were also required to have their complaints and answers written on stamped paper costing Rs 2 while an institution

(1) Selected Correspondence, Tenasserim, pp 219-229.
Rules for the Administration of Civil Justice in Arakan, dated 19th June 1828.

Also Rules for the Administration of Criminal Justice in Arakan, dated 3rd July 1828.

(2) Idem. Clause.

fee of five per cent was charged in order to check
(1)
unnecessary litigation.

The myothugyi was appointed the head native official with civil and criminal powers, chiefly because he possessed so much knowledge of local customs, but whenever possible and in cases not exceeding Rs 50 in value, litigants were encouraged to refer their disputes to a board of three arbitrators, subject to the control and decision of the kyauk or thugyi of the village in which they resided, with an appeal to the commissioner. Each of the contending parties was to have the privilege of nominating an arbitrator, while the court nominated the third, and the thugyi was allowed to enlist the help of two or three "respectable villagers" in his investigations. (2)

In criminal cases, the Local Commissioner was to exercise all the powers granted to zillah and city magistrates in the Regulation Provinces and he was instructed to conform to the principles and spirit of the regulations. He was to hold half yearly sessions, and was empowered to imprison for seven years and inflict 39 stripes, while his assistant could imprison for two years and inflict 30

(1) Idem. Clause.

(2) Idem.

stripes, and all cases of capital punishment were to be submitted to the Supreme Government for confirmation. (1)

All suits under Rs 50 in value were to be dealt with by the myothugyi who could imprison for 30 days. The thugyis were not given any criminal powers, but their aid was considered invaluable in the investigation and report of crime. The problem of language in Arakan was not such a simple matter as in Tenasserim, where only Burmese and English were used in the courts, for many of the Magh depositions had first to be translated into Hindustani, before they could be recorded in Persian which till 1845 was the official language of the Arakan courts, in accordance with the practice in Bengal.

During July 1828 rules were also drawn up for the police system of Arakan. The Bengal system of tannah establishments, as in Regulation XV of 1817 was established. (2) The darogahs of police tannahs were under the immediate control of the Commissioner and his assistants, and were responsible for the peace of their respective jurisdictions and they in turn supervised the work of jaminadors and burkundazes stationed at subordinate chokies. (3)

(1) Idem.

(2) Selected Correspondence, Tenasserim pp 226-33. See also "Regulations passed by the Governor-General in Council of Bengal. 1817".

(3) Ibid. p 231-33. Rules for the guidance of the Darogahs of Police Tannahs in the Province of Arracan".

The kyouks and thugyis of circles were still maintained as police officers responsible for the good order of their villages; they were allowed to employ a small establishment to aid them in the detection of crime and could arrest offenders without a warrant, but they were strictly forbidden to interfere in petty disputes between villagers unless their aid was specially sought. (1)
In order to instil a sense of responsibility in this class of official, a special clause was inserted in the rules providing for the punishment or dismissal of those kyouks or thugyis who were slack or neglectful in their duties. (2)
Detachments of the local corps were to be employed from time to time, in aid of the police and suppression of dacoity, and we have two or three instances of the commissioner and his assistants in Arakan employing parties of the Magh provincial corps in chasing bandits across the various streams and rivers of the province. (3)
The local commissioner was empowered to appoint and remove at his discretion all native officers of the judicial and police establishments with the exception of the myothugyi who, in these early days was the "head native officer of the court", appointed and removed only with the sanction of the Supreme Government. (4)

(1) Ibid p 229 Clauses 3-4.

(2) Idem Clause 5.

(3)

(4) Selected Correspondence, Tenasserim. p 229. Clause 8.

Finally, with the aid of the Board of Customs Salt and Opium rules were drawn up by the Governor-General in Council for the Salt department of Arakan, ⁽¹⁾ all arrangements for which had been temporarily suspended. Blunt wished to make "salt" a government monopoly and to introduce into the province a contract system by which the kyouks could supply government with salt, ⁽²⁾ but the Supreme Government looking upon the quantity manufactured in Arakan as "a mere subsidiary supply, not necessary for the completion of the year's provision in Bengal," ⁽³⁾ forbade the introduction of contracts and advances, considering it only necessary to frame rules for the encouragement and freedom of the manufacture, without any reference to its export into Bengal or Ava. In the absence of sufficient data, the price of salt was fixed at seven annas per maund, no individual was allowed to possess more than 50 maunds, and the local Commissioner and his assistants who could easily superintend the sale and despatch of the article to Bengal, were instructed to purchase as much as they could from the kyouks and thugyis, in order ⁽⁴⁾ to enable government to form an estimate of the Arakan supply. Thus, the appointment of a special salt agency on the Bengal

(1) Selected Correspondence, Tenasserim, pp 236-243. Proposed and revised salt rules.

(2) Ibid pp 236-241. Proposed Salt Rules.

(3) Ibid. p. 243.

(4) Idem.

lines was considered unnecessary in Arakan; instead the commissioner and his assistants were remunerated at the rate of Rs 3 per 100 maunds of salt and were to be controlled in salt arrangements by the Board of Customs, Salt and Opium.

(1)
Blunt returned to Calcutta in September 1828, and an interval of three months elapsed before the Bengal Council announced their new scheme for the future government of Arakan.

C. THE SUPERINTENDENCE OF THE COMMISSIONER OF CHITTAGONG.
1829-33.

By the beginning of 1829, the Supreme Government had decided to place the administration of Arakan under the superintendence of the Commissioner of Chittagong, and instructions were issued to Nathaniel Halhed, a judge of the provincial Court of Appeal at Moorshedabad, appointing him Commissioner of Revenue and Circuit for the Chittagong and Arakan divisions. (2)
(3) Paton had not even been able to draw up a scheme for the development of the resources

(1) Bengal Rev. Cons. 12th Sept. 1828. No. 8. Resoln. of G.G. in C.

(2) India Register, 1828. p. 18.

(3) Bengal Rev. Cons. 30th Jan. 1829. No. 16. Letter from Halhed to Govt. of Bengal, dated 13th Jan. 1829, acknowledging receipt of instructions.

of the province, and yet he was the one person who had had experience of Arakanese conditions since 1825, so he could not very well have been withdrawn from the administration.

The Governor-General in Council therefore thought it best to place him in all departments of government under the control of Halhed who, in future would be designated

"Commissioner for Arakan and Chittagong", while Paton was to be styled Superintendent of the Province. ⁽¹⁾ The latter

was instructed in future to address all his communications

to Halhed, who in turn, would forward them with their en-

closures to the Supreme Government. ⁽²⁾ The rules drawn up

by Blunt were to guide the new administration, while the

Judicial Department of Bengal would from time to time issue

such modifications as should be necessary in the administration of justice and police.

Such a scheme might have worked admirably had the administration of Arakan continued in an experimental stage, had Halhed and his successor been able to visit the province more frequently, and had they been less burdened with their duties in Chittagong. Arakan undoubtedly formed a strategic part of Chittagong, but as communications by land were not

(1) Bengal. Sec. and Pol. Cons. 13th Feb. 1829. No. 14
Extract from the proceedings of the G.G. in C. in the
Territorial Dept. dated 30th January 1829.

(2) Idem.

complete, the commissioner of Chittagong only visited Arakan when the Bengal Government placed a vessel at his disposal. From Halhed's letters to the Supreme

Government, it appears that up to the end of his commissionership of Arakan and Chittagong in April 1832,

he was not able to visit the province more than three times, ⁽¹⁾ and even then he was not always able to get

into touch with Paton who at the time of Halhed's first visit to the province in April 1829, was touring the interior of the province and as every gun and accommodation boat was being used by those doing duty with the superintendent, Halhed could not even visit the assistants at their stations; he bitterly complained also of the lack of an assistant at the headquarters during the superintendents absence to deal with the civil and criminal cases which were accumulating. ⁽²⁾

Such were the difficulties of governing a province in the early days of British rule when waterways afforded the only means of moving about from one district to another, and when the suppression of dacoity in the frontier districts, was occupying all the energies of the superintendent.

(1) See Bengal Rev. Cons. 14th April 1829. No. 9. To Bengal from Hahed dated 20th Feb. 1829. Reporting his arrival at Akyab.

(2) Ibid 20th July 1830. No. 33. second visit to the province. The third visit was in June 1831

The letters from Arakan during the year 1829 teem with descriptions of the ravages of dacoits especially (1) in the Sandoway district and around the An pass.

"Laoo", an ex-thugyi of Allegyo, was largely responsible for many of the inroads, while Paton attributed some of the others to attacks by parties of Burmese from the Ava side of the Yoomatoung mountains, attacks which were usually accompanied by pillage and the massacre of burkundazes doing duty at the frontier posts. The prevalence of crime however, was largely due to the inadequate defence of the frontier, and with Halhed's advice the Magh Levy was reorganised as a Sebundy (2) corps, and placed under (3) the control of the civil authorities, while detachments were stationed at An, and other frontier posts during the monsoon. These measures appear to have been effective, for by 1830, crime had considerably decreased, and the cultivation had correspondingly increased.

(1) Bengal Sec. and Pol. Cons. 31st July 1829, No. 15
Also, Ibid 28th August 1829, No. 13.
Ibid 23rd October 1829, Nos. 8-11.

(2) Firminger's Edition to the Fifth Report. Vol III
Glossary s.v. Sebundy a persian word for irregular soldiers employed in revenue and police duties.

(3) Bengal Sec. and Pol. Cons. 31st July 1829. No. 15
Minute by the G.G.

A month after Halhed's first visit to the province, and owing undoubtedly to his suggestions, the Supreme Government ordered Paton to take up his residence at Kyaukpyn, considering it meet that the civil superintendent of the province should reside at its military headquarters, (1) which in any case was more centrally situated than Akyab. Captain Dickinson was instructed to take charge of the Akyab district, while Captain White was to remain in charge at Sandoway. (2) Archibald Bogle, a lieutenant of the 2nd Regiment Bengal Native Infantry was sent to Arakan as assistant to Paton at Kyaukpyn. (3)

The chief developments of the period 1829-32, when Halhed controlled the administration was the introduction of a village assessment of lands by order of the Supreme Government who, had no doubt, been impressed with its efficacy in Tenasserim, and the payment of thugyis partly by a fixed salary, and partly by a percentage on their collections at the close of each year. (4) The capitation tax on cultivators however still remained the chief mode

(1) Bengal Sec. and Pol. Cons. 15th May 1829, No. 5. To Halhed from Govt. of Bengal.

(2) Idem.

(3) Bengal Sec. and Pol. Cons. 14th Aug. 1829. No. 4.

of taxing the land as measurements of fields could not yet be undertaken. At the end of 1828 the Supreme Government after careful estimates of the data supplied by Hunter and Paton and Blunt had fixed the land revenue demands for the current year at Sicca Rs 316,856, over 60% of which was expected from the Akyab district alone, as the following table ⁽¹⁾ will show :-

73	estates in Arakan (exclusive of Hill tribes)	180,897.
24	" " Sandoway	32,315.
5	" " Tongkwen	14,314.
31	" " Ramree	77,330.
1	" " Cheduba	<u>12,000.</u>
		<u>316,856.</u>

The thugyis who were forbidden to exact anything above this amount were to be paid an allowance of ten per cent on their revenue collections thus reducing the revenue of Government to Rs 285,170. In April 1829 however, the Governor-General in Council, in order still further to safeguard cultivators against the extortions of their circle headmen proposed that the kyouks might be paid a fixed salary monthly, and if no charges of extortion were brought against them at the close of the year, they might be further rewarded by a percentage

(1) Bengal Rev. Cons. 10th Oct. 1828. No. 42. To Paton from G.G. in C.

(1)

on their collections. Halhed in reply suggested that the commission to a kyouk be fixed at eight per cent on collections with freedom from taxation for himself and two families and a reward of Re 1 for each house or family assessed, while the "Roakreesoos" or headmen of each village who were in charge of each village should receive two per cent on their collections with exemption from taxation of their own families; (2) this arrangement was approved, (3) and a village settlement was introduced similar to the ryotwari settlement in Tenasserim, as may be gathered from the following words :- "the amount of assessment being once fixed the Governor-General in Council is of opinion that the apportionment of the share to be paid by each house or family, and the classification of the people ought to be left to themselves. The "Roakreesoos" and

(1) Bengal Rev. Cons. 14th April 1824, No. 26. Letter to Halhed paras 11-12. "If" wrote the Supreme Government "on the one hand they (the kyouks) are paid by a percentage on collections alone, there will be the danger of their enhancing the demand on the people beyond what can easily be borne, and if on the other hand they are paid by a fixed salary, there may be an equal risk of their colliding with the Rao Kreesoo and the people to keep the assessment below what may fairly be demanded." A combination of both modes of payment was therefore considered the best course to adopt.

(2) Bengal Rev. Cons. 25th April 1829, Nos. 13-14. To Govt. of Bengal from Halhed dated

(3) Ibid, No. 15.

"Chagyug" on being told the amount expected from their respective villages should be required to assemble the people and within a given time to deliver to the Soogee a complete schedule framed by them in concert with a punchayait chosen by the people, exhibiting the classification of the inhabitants and the amount to be paid by each family or house: such schedules to be prepared according to the form which you have prescribed or may see fit to prescribe." ⁽¹⁾ It was also laid down that the headman of villages and the village accountants should in the first instance be chosen by the ryots themselves, "their nomination being open to objection by the Soogee, and the decision of the local European officer, rejecting ⁽²⁾ or confirming the nomination being final."

The result of this revised system of assessments was a general increase in the prosperity and resources of the province, especially in the Ramree district where Dickinson spared no pains to investigate details and prevent all forms of extortion. ⁽³⁾ The taxes in Ramree in 1829, consisted of a house tax of Rs 6 on every head of a family except paupers, cripples and widows, a tax upon the "produce

(1) Bengal Rev. Cons. 14th April 1829, No. 26. Letter to Halhed from G.G. in C. para 16.

(2) Ibid, para 14.

(3) Bengal Rev. Cons. 22nd Dec. 1829, No. 9. Letter to G.G. in C. from Halhed dated

(1)
of labour", and a tax upon each plough which was the first step towards the establishment of a land tax; the average assessment on each family therefore amounting to about Rs 9 - 6 as. 7p, a sum which Halhed considered light. No difficulty was experienced in collecting these taxes, though it was certain that several families had escaped taxation, and that the subdivisions of circles were far from being perfect. The tax on ploughs which only affected rice lands appears to have amounted to the high rate of one fourth of the produce, and the tax on other agricultural produce to one fifth to two fifths in Cheduba, so it is probable that similar taxes were imposed in Ramree. In June 1830, Halhed again reported most favourably on the revenue settlements of Ramree and Cheduba, praising the zeal and exertions of the assistant. The collections for both places for 1829, amounted to Rs 107,841 (3) which was short of the government assessment by only Rs 14, while most of it was brought in by the people themselves, and most remarkable of all was the fact that, not a single process for non-payment of land revenue, had been issued throughout the year. In reporting the general improvement

(1) Idem.

(2) Bengal Rev. Cons. 22nd Dec. 1829. No. 14. Capt. Dickinson's Report on the Revenue Settlement of Cheduba.

(3) Bengal Rev. Cons. 20th July 1830. No. 33. Report by Halhed dated June 16th 1830. para 35-36.

Halhed wrote, "I visited Chedooba and Raimbree with the purpose of making local enquiries as to the results of the arrangements, and went much among the inhabitants, and I particularly enquired for the schedules of assessment and the receipts of revenue which every Raeut [ryot] ought to have. Most of the people produced the schedules and receipts for all that they had paid having them about their persons. Others went home for them, but all of whom I asked, admitted having them in their possession, and appeared to view them as valuable documents. The schedules, as numerous as they were, bore Captain Dickinson's initials. I afterwards ascertained from Captain Dickinson that, being fearful of the consequence of the Soogees or Keouks neglecting to furnish the Raeuts with these documents, he had them prepared from the village "Khaings" or books of assessment and to prevent fraud and concealment attested them all himself....." (1) The people and the kyouks and thugyis expressed their satisfaction with the new arrangements and Halbed was convinced that either the resources had increased or all fear of exposing wealth had vanished, for during 1830, plays and religious ceremonies which had hitherto been neglected were revived and produced on a magnificent scale. (2)

(1) Idem. para 37.

(2) Idem. para 37.

Unfortunately, taxation had not made as much headway in the Akyab district, where, the superintendent had made the fundamental mistake of entrusting all revenue affairs to the "myothugyi" who, was now the head native official in the financial and judicial departments of government, and who had grossly oppressed the population. On 24th April 1830 Halhed was forced to suspend the incumbent of this office "Kazee Shooja" by name, and institute an enquiry into his measures. ⁽¹⁾ The objects aimed at in the principles of taxation laid down by Halhed had been a relief in the taxation on the poorer classes, and an increase on that of the wealthy merchants and agriculturists in the district. Unfortunately however, a house tax of Rs 9 per house on all classes and a capitation tax of Rs 7, Rs 4, and Rs 3, respectively on families, widow, and widowers and unmarried men living with their relations had been imposed, amounting in all to Rs 153,310, while the total sum paid by agriculturists, merchants, shopkeepers, artificers, boatmen and fishermen did not exceed the petty sum of Rs 34,855. ⁽²⁾

As Halhed pointed out, mismanagement and abuse were the only results of Paton's defective measures, and much

(1) Bengal Rev. Cons. 25th May 1830. No. 32. Halhed's Report dated 24th April 1830. para 2.

(2) Ibid, 20th July 1830, No. 33. paras 10-14. Report by Halhed dated June 16th 1830.

discontent prevailed over the way in which he had allowed circles to be subdivided in the Akyab district. In many cases, the amlah of the courts had acquired kyoukship in the interior, or subdivisions had been made so as to throw the heaviest portion of the assessments on the most unproductive villages.⁽¹⁾ Consequently, Halhed and Dickinson who was instructed to officiate as Superintendent when Paton went on leave in April 1830,⁽²⁾ had to set to work to draw up a revised scheme of assessment for the district, while Halhed had to be specially exempted from circuit duties in Chittagong for the purpose. The capitation tax was reduced to Rs 6 and Rs 3 per annum, and the taxes on agricultural products, commerce, fisheries and handicrafts were raised to a total of Rs 80,000. Other sources were the revenue from the Hill estates which was a form of tribute paid to government through a recognised agent by certain chiefs of the tribes inhabiting the mountains to the South-east of the Arakan district,⁽³⁾ amounting to Rs 4720,⁽⁴⁾ and the revenue from the "Khas Estates" consisting of 112 villages or tracts of land which Hunter and

(1) Idem. para 24.

(2) Bengal Rev. Cons. B.S. 27th April dated 19th April
Extract from Political Dept.

(3) Selected Correspondence, Tenasserim p. 235-6, "Rules relative to the Hill Tribes in Arracan."

(4) Bengal Rev. Cons. 30th July 1830, No. 33. Report from
Halhed dated 16th June 1830.

Paton had sold to officers of the court and parts of which they had bought themselves, sales of which had been cancelled by government in 1828, while settlers who guaranteed to pay a house tax of Rs 6, Rs 7 or Rs 10 were encouraged to settle on the lands. ⁽¹⁾ The Governor-General in Council however, expressed their strong belief in a system of long leases to enterprizing individuals, a practice which Maingy had already begun in Tenasserim, but which neither Hunter nor Paton had thought of introducing because of their liking for zamindari tenures.

The district of Sandoway which, on the death of Captain Gordon, had been entrusted to the charge first of Lieutenant Bellew, then of Lieutenant White, had not made much progress till the arrival of Bogle who had been transferred to it from the Superintendent's office, ⁽²⁾ and who seriously undertook the equalisation and revision of the revenue circles, and the grant of remissions. His measures in Sandoway, added to the general progress in Ramree and Akyab in 1830 raised the revenue for the whole province in that year to Rs 371,310 while the population with the influx of new settlers amounted to 131,390 souls, ⁽³⁾ factors which made the control exercised by Halhed situated at Chittagong inadequate for the growing complicity of affairs.

In June 1830 therefore, we find Halhed complaining to the Supreme Government of his inability

(1) Idem.

(2) Idem.

(3) Cambridge History of India, Vol V. 1497-1858. p

to control efficiently the administration of Arakan with such a restricted establishment, while he considered it imperatively necessary that the Superintendent of the province should have more responsibility, and wider powers. (1) "It is absolutely necessary", he wrote, "that the commissioner should pay more minute attention to the affairs of the province than has hitherto been paid. I cannot blame myself for this, because the pressure of my other duties has precluded me from superintending the affairs in Arracan to the extent of my wishes or of my conviction of the necessity for vigilant supervision. In the Regulation Provinces, everything is performed according to rule, and each functionary knows that the consequence of neglect or disobedience will be soon apparent, and call down on him the displeasure of the higher authorities, but in Arracan, there has obtained a species of diplomatic management and it appears to me that until lately with one exception (in Raimbree) the system has been to give the best appearance to everything, let the reality be what it may (2) If such were Halhed's criticisms of the conduct of business in Arakan

(1) Bengal Rev. Cons. 21st Dec. 1830, No. 24. Letter to G.G. in C. from Halhed dated 18th June 1830, paras 1-10.

(2) Idem, para 11.

we are left to wonder what he would have said about the personal control exercised by Maingy, and the lack of official documents in Tenasserim, for even in 1843, when Blundell's correspondence with the Sudder Board of Revenue and the Court of Sudder Dewanny and Nizamut Adawlut's had increased to voluminous proportions, Broadfoot, his successor, was shocked at the insufficiency of records in all the district offices in Tenasserim, and complained bitterly that the annual statements forwarded to Calcutta and the reports from the assistants to the commissioner were not full enough. ⁽¹⁾ An increase in population and the development of resources, necessarily meant a multiplicity of records and a centralization of administrative detail, but most men schooled in the Indian Regulation System failed to grasp that up to the year 1833 in Tenasserim, and perhaps in parts of Arakan too, a lack of official documents and red tape did not necessarily imply inefficiency in administration. Halhed was undoubtedly justified in his dissatisfaction with the slow progress of affairs in Arakan however, where the difficulties of communication certainly called for a fuller record of revenue and judicial business than in Tenasserim. He therefore recommended that

(1) Sudder Board of Rev. Proceedings. 20th October 1843, No. 49. Report on Revenue by Major Broadfoot dated 17th July 1843.

See also Bengal Rev. Cons. 25th March 1844, No. 16. Copy of the same letter.

the local superintendent of Arakan should take personal charge of the revenue and judicial affairs of the Akyab district, and have a junior assistant to help him, and also to relieve him from all magisterial work. The superintendent should preside in the Court of Appeal at Akyab, and exercise only an appellate jurisdiction over the judicial work of his assistants in all districts, but in civil departments he should possess discretionary powers "similar to those vested in the Superintendents of Police in Bengal of interposing his authority (civil) whenever it may be requisite in particular instances." (1)

Halhed then suggested that Captain Dickinson might be appointed to the post of local Superintendent as he possessed a considerable amount of administrative talent, and had been acquainted with the Maghs ever since 1825. (2)

In the meanwhile, Paton, while on a voyage to the Cape of Good Hope for the sake of his health, died at sea on the 7th July 1830, (3) and in December 1830, the Supreme Government being faced with the necessity for reorganising the European establishment of Arakan, decided

(1) Bengal Rev. Cons. 21st December 1830. No. 24. Letter to G.G. in C. from Halhed, dated 18th June 1830.

(2) See above, Chapter I p

(3) Bengal Rev. Cons. 9th Nov. 1830. B.S. dated 2nd November 1830.

to adopt Halhed's suggestions.

The four officials hitherto employed in the administration of Arakan were increased to five, though the total charge of the establishment was maintained at Sonat

(1)
Rs 60,000 per annum. Captain Dickinson was appointed

Local Superintendent on a salary of Rs 24,000 per annum

which was Rs 6000 less than Paton had received, he was

to reside at Akyab and take special charge of the Akyab

district, but he was given the aid of two junior assis-

tants, each on a salary of Rs 6000 per annum, one to be

stationed at Akayb with him, and to exercise "general,

magisterial judicial and revenue fuctions" under his

immediate control, while the other was to be employed

(2)
wherever Dickinson wished to depute him. A senior

assistant at Rs 12000 per annum, was to take charge of

the Sandoway district, and a second senior assistant on

the same salary, of Ramree, both officials possessing mag-

isterial powers and original jurisdiction in civil cases,

while they were subject to the control of the superin-

(3)
tendent in revenue affairs. The superintendence of

the Commissioner of Chittagong was still maintained.

(1) Bengal Rev. Cons. 21st December 1830. No. 26. Resolutions of the Vice President in Council of Bengal.

(2) Idem.

(3) Idem.

During the course of the year 1830, the Bengal Council had received a despatch dated 1st October 1829, from the Secret Committee of the Court of Directors in England drawing their attention to the defence of Arakan and enquiring what were the best points from which to invade Ava should there be a second Burmese war. ⁽¹⁾ The passes over the Yomatoung mountains had not yet been scientifically explored, and although the Bengal Council had been reluctant to believe that the dacoity which had prevailed in the frontier districts had been instigated by the Court of Ava at the beginning of 1831 Major Burney ⁽²⁾ the envoy reported an increase in gang robbery in every part of the country and in February 1831 they were obliged to depute two military officers on a special survey of the south-eastern frontier between Chittagong and Arakan and between Arakan and Burmese territory. The two men chosen Captain Francis Jenkins and Lieutenant Richard Boileau Pemberton ⁽³⁾ of the 47th Regiment Bengal Native Infantry were instructed to investigate conditions and discover the most eligible site for the headquarters of the province,

(1) Bengal Sec. and Pol. Cons. 14th Jan. 1831. No. 1 Minute by the Governor General, dated 30th Dec. 1830.

(2) Ibid. 13th May 1831, No. 5. Letter to G.G. in C. from Burney dated 8th April 1831.

(3) Ibid. 4th Feb. 1831. No. 1. A Resolution by the Vice-President in Council.

"with respect to the healthiness, facility of communications with Calcutta by sea, and with Chittagong by land, facility of movement for land service whether within the province or eventually beyond the mountains," and they were also ordered to inspect minutely the road which had been begun between Arakan and Chittagong, and suggest the requisite means for its defence. ⁽¹⁾ Pemberton and Jenkins spent

eight months in the province, inspecting the stations of Akyab, Ramree, Kyaukpyu, and the old capital Arakan, while they also visited Cheduba and the island of Jergo, and surveyed the passes across the mountains. After much correspondence with the European officials in Arakan they embodied the result of their work in a report dated 8th September 1831 to the Supreme Government. ⁽²⁾ To begin with they both agreed that the town of Kyaukpyu afforded the best site for the military headquarters of the province as its harbour was best suited to the ingress and egress of vessels and to the easy embarkation of troops, while it also possessed facilities for the supply of timber and water. ⁽³⁾ Its central position rendered communication with the different districts of Arakan practicable, and it was close to the An pass which was undoubtedly the easiest

(1) Bengal Sec. and Pol. Cons. 14th Jan 1831. No. 1 Minute by the G.G. dated 30th Dec. 1830.

(2) Bengal Sec. and Pol. Cons. 16th Sept. 1831. No. 20. Report by Jenkins and Pemberton dated 8th Sept. 1831.

(3) Idem.

pass in the province. Its situation on the island of Ramree, made land communication between it and Chittagong extremely difficult, but the surveyors pointed out that this fact was no drawback to its eligibility as a military station, because in cases of emergency, troops would undoubtedly be conveyed to it either by a steamer or sailing vessel.⁽¹⁾

The passes across the Yomatoung mountains were numerous, while Burmese troops could even advance into Arakan by the various paths connecting the province with the villages of the Chin tribes in the north. The most important of the passes however, were those of An, Talak, Gwa and Taung-up,⁽²⁾ although the An pass was the only one which had been favourably reported on during the war. The post at An was daily becoming more important because it was the centre of the increasing trade between Ava and Arakan and Pemberton and Jenkins reported that during the last season as many as 2,600 bullocks had passed through it, from, and to, Ava "laden with the products of the Burmah territory and the staples and manufactures of Britain and India"; they therefore suggested that villages

(1) Idem.

(2) Idem. para 29. See map.

might be established along the An river in order to
(1)
foster this trade.

The surveyors then strongly recommended that Akyab be retained as the civil headquarters of the province, and discussed its advantages over the old capital, and over the towns of Ramree, Cheduba and Sandoway. They also described the progress it had made under British rule in two years. "As a civil station", they wrote, "Akyab possesses many advantages which are not enjoyed by any other on the coast, and it is now the centre of a very flourishing and rapidly increasing trade. It has an uninterrupted inland navigation with the most productive districts of the Province. Within the last six months from October to April last, no less than 140 [vessels] from two to four hundred tons burden have cleared out from the port with cargoes of paddy, rice, khut, wood oil, buffaloe horns, elephants' teeth and smaller quantities of sugar, tobacco and canes amounting to Rs 73,700 which was almost all paid for in cash. This trade has been progressively increasing every year, and the principal exports consist of products which are now more extensively

(1) Idem para 29.

obtained in the division of Aracan proper than any other ..."⁽¹⁾

It was also stated that, a large number of new settlers had arrived in the Akyab district within the last six months, the Maghs preferring it to the southern stations because of its vicinity to the old capital, while Bengali immigrants hoped to derive much benefit from the extensive improvements such as the clearing of jungle and the draining of swamps which were going on round the town.

Land communications in the province however were still exceedingly defective. Captain White the assistant at Sandoway had ordered the cultivators to begin the construction of roads in every circle of the district, and he had succeeded in opening up a new road from Talak in the north, to Cape Negrais in the south a distance of about two hundred miles, without any expense to Government. Such was the degree of centralization in the administration of the Company however, that Halked disapproved of this beneficial measure chiefly because it had not received the previous sanction of government, and for the second time, ⁽²⁾ White was reproved for arbitrary conduct.

(1) Idem.

(2) The first occasion being in 1829 when he held out the offer of pardon to the rebel thugyi of Allegyo. See Bengal Sec and Pol. Cons. 23rd October 1829, Nos 1-11. Reports by Halked and Paton about the suspension of Captain White, dated September and October 1829.

Dickinson's tenure of office was distinguished by a noticeable increase in revenue, and an increase in the allowances to kyouks and headmen. In January 1831, Halhed reported that owing to the admirable efforts of the Superintendent the ascertained revenue for the Akyab district for 1830 amounted to Rs 229,184 which (1) showed an increase of Rs 14,200 from the previous year, and that as soon as possible an assessment on land on the basis of actual measurements should be substituted for the plough tax which fluctuated owing to frequent murrain among the cattle. There was also an increase in the population and resources of Ramree and Sandoway the revenue for the whole province for 1830 amounting to Rs 371,310 (2) while the population numbered 131,390 souls which showed an increase in revenue of Rs 10,665 and of 2,420 (3) inhabitants as compared with the previous year. "It is gratifying to report", wrote Halhed, "that no female

(1) Bengal Rev. Cons. 8th March 1831, No. 31. Report by Halhed dated 24th January 1831.

(2) Cambridge History of India, op. cit. p

(3) Bengal Sec. and Pol. Cons. 16th Sept. 1831. No. 21. Letter to Pemberton and Jenkins from Capt. White dated 6th April 1826. According to White the population in 1829/30 numbered 125970 souls while the assessments for the province amounted to Rs 360645 - 4 as.

ornaments or pierced gold and silver coin much of which was formerly produced in lieu of specie, has been paid into the treasury in this year"⁽¹⁾ although the people still possessed much jewellery. The increase in the resources and trade of the province has brought many more coins into circulation. As a result of all this improvement, the mode of paying the kyouks laid down by government was becoming obsolete and unequal, so Dickinson recommended the increase of the percentage paid to village headmen from 2 to 4% and that to the kyouks from 8 to 15% with an allowance of Re 1 on every house.⁽²⁾ Both these suggestions were sanctioned by the Supreme Government, but no increase of the rates of taxation on merchants and traders was allowed. At the same time, owing to the tremendous growth of correspondence between the Bengal Government and the authorities in Arakan, instructions were issued to the effect that the abstracts alone of statistical returns and revenue settlements were to be forwarded to Calcutta while all detailed documents were to remain in the Superintendent's office.

(1) Bengal Rev. Cons. 8th March 1831. No. 13. para 13 Letter to G.G. in C. from Halhed dated 24th Jan 1831.

(2) Idem. para 12.

(3) Bengal Rev. Cons. 8th March 1831. No. 16. To Halhed from Govt. of Bengal.

X Although Halhed strove to reduce the capitation tax and introduce a system of land measurements, he was unsuccessful for he found that the people "had long since forgotten the ancient principles of measurements,"⁽¹⁾ and when he handed over charge of the Chittagong and Arakan divisions to his successor Walters in April 1832,⁽²⁾ the capitation tax and the tax on ploughs were still the chief sources of revenue in the province. During September and October also, certain changes were made in the appointment of assistants. White still remained Senior assistant at Sandoway, but Captain Willaims of the 45th Regiment Bengal Native Infantry was appointed the second Senior Assistant in the province in temporary charge of the new district of An, the necessity for which both the Supreme Government and the officials in Arakan recognised,⁽³⁾ with his headquarters at An during the dry weather and at Kyaukpyu during the monsoons. Then, Lieutenant Macintosh⁽⁴⁾ officiated as assistant at Ramree, which Bogle had relinquished in May 1831 to Captain Badenach who must have

X (1) Bengal Rev. Cons. 5th July 1831. No. 11. To G.G. in C. from Halhed dated 15th June 1831.

(2) Ibid 24th April 1832. No. 28. Instructions to Walters from G.G. in C.

(3) Bengal Rev. Cons. 4th Sept. 1832. No. 2. Orders of G.G. in C.

Also Bengal Sec. and Pol. Cons. 29th Oct. 1832, No. 37 Letter to G.G. in C. from Walters dated 11th Oct. 1832.

(4) Bengal Sec. and Pol. Cons. 13th August 1832, No. 4. Letter to Walters from G.G. in C.

(5) —Idem.

either been ill or on leave in 1832, while Lieutenant
I.S. Browne acted as Junior assistant⁽¹⁾ and was in
charge of Cheduba. Halhed's successor was Henry Walters,
who had held the post of judge and collector in the Arakan
district.⁽²⁾ He officiated Commissioner of Arakan and
Chittagong on Halhed's departure in April 1834, and re-
mained in office till September 1834, when the superin-
tendence of the Commissioner of Chittagong over the
affairs of Arakan was withdrawn. His measures in Arakan
were directed towards assimilating the fiscal institutions
of the country to those of the Bengal Presidency, and
shortly after his appointment, he wrote to the Supreme
Government advocating the levy of "well regulated" import
and export duties on goods passing between Arakan and Ava
and Bengal, in the place of such "vexatious" and trifling
taxes as Rs 2 on each manufacturer of salt, eight annas on
every hand net, and Re 1 on every small boat.⁽³⁾ The tax
of Rs 2 on each manufacturer of salt appears to have been
introduced during Halhed's administration, as no such tax
is mentioned in the rules drawn up by Blunt. The taxes

(1) Bengal Rev. Cons. B.S. 25th Sept. 1832. (Index volume for 1832).

(2) India Register, 1834. p. 20.

(3) Bengal Rev. Cons. 18th December 1832, No. 19. To Govt. of Bengal from Walters dated 27th October 1832.

levied on small vegetable plots and on artizans he also considered unproductive, and suggested that a system of licences would be much more effective. He was also strongly in favour of developing and extending the Abkari system in Arakan, although, Captain Dickinson, was as strongly opposed to it. In February 1830, the Supreme Government had sanctioned the establishment of Abkari shops for the towns of Akyab, Ramree and Sandoway, but Dickinson, in a letter to Walters in October 1832, suggested that heavy penalties might be imposed on the sale of arrack opium and gunja, ⁽¹⁾ even if ⁽²⁾ small licences had to be granted for the sale of "Tauree". Walters in reply differed from Dickinson about the introduction of the Abkari system because he believed "that the Maghs were already addicted in an excessive degree to the use of those pernicious stimulants", and the effect of the excise licences would be "by increasing the price to limit the means of indulgence in such excesses." ⁽³⁾

(1) Hobson-Jobson. A Glossary. s.v. gunja. "The flowering or fruiting shoots of the female plant of Indian hemp, formerly distinguished as used as an intoxicant." (Hind.)

(2) Probably "toddy".

(3) Bengal Rev. Cons. 18th Dec. 1832, No. 22. Letter to Dickinson from Walters, dated 15th August 1832.

The Supreme Government referred Walters' suggestions to the Board of Customs, Salt and Opium, who saw no objection to the establishment of Abkari licences, if there was no longer a doubt as to its effects on the people, and considered it highly desirable from a financial point of view. (1) Thus Halhed's prohibitions were removed, and Arakan reverted once more to the system of licences first introduced by Hunter and Paton.

the "doon"

Walters attempts at introducing a Chittagong land revenue measure (2) had not proceeded very far, when Lord William Bentinck decided to devote his serious attention to the affairs in Arakan. So convinced had he become through Walters unfavourable and gloomy reports of the stagnation of its administration, and the unproductive nature of its taxation, that, he considered that nothing short of a special investigation by a senior official of the Bengal Government could bring to light the weak spots in its management. On 26th February therefore, Charles Mac Sween, Chief Secretary to the Government of Bengal,

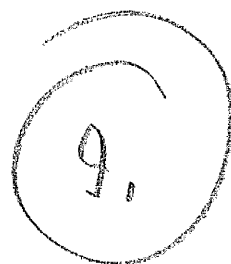
(1) Bengal Rev. Cons. 22nd Feb. 1833. No. 4. Letter to the Vice President in Council of Bengal from the Board of Customs, Salt and Opium, dated 15th February 1833. para 2.

(2) The "Doon" is ^{evidently} a corruption of the word drona (Ben:) which in Chittagong and Sylhet is equal to 16 kanis. s.v. Wilson. Glossary; a kani being equal to 57,000 sq feet.

embarked for Akyab and as a result of his investigations and suggestions, the province of Arakan after extensive improvements by Dickinson, Bogle and Phayre (1834-43) blossomed forth into one of the most flourishing and well-governed provinces under the Presidency of Bengal.

UNIVERSITY OF LONDON.

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ADMINISTRATIVE BEGINNINGS IN BRITISH BURMA

1826-1843.

Volume II

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Ph.D

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CHAPTER IV.

MACSWEEN'S REPORTS ON THE ADMINISTRATION OF TENASSERIM
AND ARAKAN.

On Maingy's resignation of the Commissionership of the Tenasserim provinces in July 1833 owing to the state of his health and private affairs which summoned him to Europe, ⁽¹⁾ he expressed some satisfaction at the thought that he was leaving in charge of the provinces, the ^{Edmund} deputy commissioner Blundell, who had served under him ever since his arrival in Tenasserim, and who having by this time acquired a fair knowledge of the Burmese language and customs, was admirably suited to continue and develop the different measures begun by his superior for "promoting the prosperity and resources of these provinces and securing the happiness and welfare of their most interesting inhabitants." ⁽²⁾ The Bengal Council retained a most favourable opinion of Maingy's work in Tenasserim, and all subsequent references to his achievements and the foundations he had laid for the future administration of the new territory, though

(1) Selected Correspondence, Tenasserim, p 111. para 43 Report by Maingy dated 31st July 1833.

See also, Ibid. p. 120. Letter to Sec. to Govt of Bengal from Maingy dated 5th October 1833. Maingy in this requests permission to embark for Calcutta in December 1833.

(2) Idem, para 43. Blundell had been deputy collector at Prince of Wales Island, and had been sent to Burma with Maingy in September 1832

sometimes critical in points of detail, stressed the excellence as a whole of the system into which he had grafted so many native institutions and customs. Lord William Bentinck in a minute written on the 1st February 1834, expressed the belief that the system established by Maingy was pre-eminently calculated to promote the prosperity of the country," adding "that a more efficient, zealous and intelligent officer, and one more endeared to the inhabitants is not to be found in the Company's service."⁽¹⁾

Charles MacSween, whose reports we are about to examine, stated that, "Mr Maingy and his assistants appear to have kept their attention steadily directed to the improvement of the administration in all its branches, cautiously avoiding all unnecessary forms of business and judiciously introducing from time to time, measures well understood by the people, and well suited to their circumstances characters and pursuits."⁽²⁾

Even the Court of Directors in England in 1835, after a perusal of a copy of Maingy's last administrative report, dated 31st July 1833,⁽³⁾ expressed in the following words to the Bengal Government

(1) Bengal Rev. Cons. 1st February 1834, No. 8. Minute by the G.G. on Arakan.

(2) Bengal Rev. Cons. 27th October 1834. No. 1. para 13. MacSween's Report on the Judicial and Revenue affairs of the Tenasserim Provinces, dated March 29th 1834

(3) See Selected Correspondence, Tenasserim. pp 99-111

their favourable impression of the Commissioner's work :-
"We have read this report with deep interest and we consider the facts contained in it to reflect the highest credit on Mr. Maingy's qualifications for the important and responsible office, the duties of which he has unfortunately been obliged to relinquish. Nothing can be more satisfactory than the evidence afforded by this document of the perfect tranquility and growing prosperity of these provinces"⁽¹⁾

Maingy, had undoubtedly by 1833, reconciled the new government of Tenasserim with the governed, and by a skilful preservation of much that was beneficent in the native revenue and police practice, he had convinced the Supreme Government of Bengal and the Directors in England of the efficacy and wisdom of his measures. On the other hand, he had not wholly succeeded in stamping out corruption and deceit on the part of local officials, because in his endeavour to maintain simplicity in his new system of government, he was obliged to refrain from an elaboration of procedure and a fuller record of details in the revenue and judicial departments of government. For the transition period at any rate, he was prepared to sacrifice a rigid classification of revenue and police functions

(1) Bengal Rev. Cons. 10th July 1838, No. 67. "Extract from a letter from the Honourable the Court of Directors" No. 30, dated 11th Nov. 1835.

to the maintenance of the indigenous village system, for he realised that the changes he introduced among a people accustomed to excessive tyranny and insecurity of life and property, had to be gradual, or else they would be changes fraught with disaster. Unlike the Commissioners in Arakan therefore, he avoided the introduction of tannah establishments and the recognition of extensive private holdings by myothugyis and thugyis, but he gave to the thugyis and village headmen both police and revenue powers. He also considered it more important for the welfare of the governed, and the future revenue of government, that the peasant proprietor be allowed vested rights in his land, and the privilege of settling with government from time to time the amount of revenue he ought to pay. Of course this meant that government was obliged to depend to a large extent on the statements of the headmen and the villagers about the extent and produce of their lands, and that Maingy's village settlements in the absence of scientific surveys were liable to much deceit or inaccuracy, but by his steady persistence in this mode of collecting the land revenue, he originated certain fundamental features of the Burma Land Revenue system of to-day. (1) For instance, in Burma, government revenue is levied in the form of rates

(1) Journal of the Burma Research Society. Dec. 1929. Vol XIX, Part III, Article on "the Early Revenue History of Tenasserim", by J.S. Furnivall.

on the extent and quality of the land owned by cultivators or landlords, and not according to a fixed and permanent settlement with individuals as in Bengal. ⁽¹⁾ Secondly, these rates are based on an acre assessment, which is subject to revision from time to time after periods varying from fifteen to twenty years. As in Maingy's early settlements therefore, rates are adapted to conditions, and the facility of reductions, or remissions in revenue, tend to make the whole system as elastic as his was, notwithstanding the fact that many of the peasant proprietors are now being swamped by a capitalist landlord class. ⁽²⁾

The increase of revenue from various sources during Maingy's tenure of office was undoubtedly slow, though no slower than in Arakan. When the Tenasserim provinces were first entrusted to his charge, they cost about Rs 2,200,000, a large proportion of which was expended on military establishments, while they yielded in revenue the paltry sum of Rs 240,000. ⁽³⁾ By 1833 although the districts of Tavoy and Mergui produced enough revenue to cover the

(1) See Baden-Powell. "Land Revenue Systems of British India". Vol. III. s.v. Burma. Also Nisbet. I p.

Also Grant-Brown. "Burma as I saw it", p 81.

Alleyne Ireland, "The Province of Burma". Vol II pp 587 ff.

(2) Grant-Brown, op. cit. Note C pp 216-7.

(3) Cambridge History of India. op. cit., pp

cost of their establishments, the revenue returns of the Amherst district still presented a deficit.⁽¹⁾ Before Maingy's retirement, the total receipts of the provinces which for 1831-2 had amounted to Rs 330,178⁽²⁾ had risen to Rs 340,360⁽³⁾ but unfortunately the military charges of the Madras troops still amounted to about Rs 10,50,000, and the revenue returns of the Amherst district presented a deficit of Rs 38,407. The revenue of Tavoy and Mergui however counterbalanced this deficit with a surplus of Rs 91,068,⁽⁴⁾ thus the aggregate surplus as far as civil disbursements were concerned was Rs 52,661. Still, Maingy realised that the revenue of the provinces would never be able to defray the heavy military charges unless the military force employed in Tenasserim was reduced to one Native Regiment of 1000 men and two Companies of European artillery, and almost the whole of the Commissariat and Ordinance de-

(1) Bengal Rev. Cons. 13th March 1838, No. 50. Extract from a Despatch from the Court of Directors, dated 30th August 1837.

(2) Selected Correspondence, Tenasserim, p. 96. para 5 Letter to Govt. of Bengal from Maingy dated 25th Sept. 1832.

(3) Bengal Rev. Cons. 13th March 1838, No. 50.

(4) Idem. The surplus for Tavoy was Rs 67,360 and for Mergui Rs 23,708.

(1)
partment was abolished, including the office of Staff Surgeon. He proposed that a corps of Talaings might be enlisted and trained for the guarding of jails and for aiding the civil authorities in policing the frontier or pursuing robbers. He even optimistically hoped that, "The whole of the external defence of these provinces might be undertaken in a few years hence by the Talains", who were anxious to preserve their identity as a race against the Siamese and Burmese, but he added that unfortunately, the high price of labour in Tenasserim made it imperative that the pay and allowances of the Talaing officer and soldier be precisely on the same scale as those of a regular

(2)
battalion of sepoys. His successor Blundell who strove to carry out Maingy's suggestions however failed
(3)
to raise such a corps in spite of all his efforts.

(1) Selected Correspondence, Tenasserim p. 97. Letter to Govt. of Bengal from Maingy dated 25th September 1832. paras 7-9. Maingy suggested that the removal of His Majesty's 41st Regiment would enable Government to abolish the Commissariat Department with the exception of a small civil establishment to help the civil authorities in supplying the remaining European detachments with rations, and that as "Chinese carpenters and blacksmiths of tolerable skill" had settled at Moulmein the Ordinance Department might be considerably reduced.

(2) Selected Correspondence, Tenasserim. Report by Maingy dated 31st July 1833. pp 110-111, paras 40-42. A sepoy received Rs 13 - 8 as per month.

(3) See below Chapter V p. 306

An increase in revenue of only about Rs 100,000 from a population of 80,000 souls during eight years of British rule, though disappointing, did not compare unfavourably with the receipts of the province of Arakan, which, although 7000 square miles smaller in extent, contained in 1833, a population of 131,390 souls and yielded a revenue of Rs 371,310.⁽¹⁾

The proportionate increase in cultivation appears to have been greater in Arakan, although the Tenasserim provinces were richer in other resources,⁽²⁾ such as timber and island produce. The total increase in the population of both provinces however, since the conquest numbered about 30,000 souls, and in both cases, the augmentation had taken place largely because of the influx of returned refugees.

When we take into account therefore, that Tenasserim was much further removed from Bengal than was Arakan, and that with the exception of short visits from Lord Amherst⁽³⁾ Robertson the first commissioner of Arakan and Bayley, no official of the Bengal Residency had had a hand in the shaping of its administration, we cannot pronounce an unfavourable judgement on the work of the three principal

(1) Cambridge History of India. op. cit.

(2) Idem. In 1830 the total area of land under cultivation was 78,519 acres.

(3) Bayley was a member of the Governor-General's Council from 1826-1830.

men concerned in its early administration viz : Fullerton, Maingy and Crawford, for in spite of the aid of the military forces under Sir Archibald Campbell, they had preserved the distinctive feature of local conditions and maintained both simplicity and a civil character for the new administration. The retention of an expensive military force in the provinces had been absolutely essential because of the neighbouring Burmese territory on the eastern bank of the Salween river, and as Maingy pointed out in September 1832, the uncertainty of retention had, to a great extent, acted as a check to an increase of revenue : "The principal cause of the slow increase of our revenue", he wrote, "might be attributed to the uncertainty which exists as to whether these Provinces will be permanently retained by the British Government. Capitalists and speculators have been in consequence much discouraged from settling or embarking on expensive undertakings, and even our native landholders are unwilling to extend their operations or engage in the cultivation of any new products."⁽¹⁾

By the beginning of 1833 however, the decision of the home authorities in favour of retention had been received,

(1) Selected Correspondence, Tenasserim. p. 96, para 4 Letter to Govt. of Bengal from Maingy, dated 25th Sept. 1832.

the district of Amherst was presenting great possibilities in the production of rice and timber which was beginning to reach the Calcutta market in large quantities, and as a special official of the Bengal Government was being deputed to Arakan to review its administration about which the Commissioner Walters had written most unfavourable reports, it was decided that the same official might also visit Moulmein and make similar enquiries into the revenue and judicial affairs of the Tenasserim provinces. Charles Mac Sween, chief Secretary and secretary of the Revenue and Judicial Departments of the Government of Bengal
(1)
was chosen for the task, and on 26th February 1834 he embarked on H.C. Steamer Ganges for Burma. In the course of a month he visited the stations of Akyab, Kyaukpyu and Moulmein investigating conditions and collecting numerous reports and memoranda from the Commissioners and assistants of both provinces, and on March 29th 1834, two days after his return to Calcutta, he embodied the result of his work
(2)
in two separate reports on the administration of Arakan and Tenasserim with suggestions for the reorganisation

(1) Bengal Rev. Cons. 1st Feb. 1834 No. 8. Minute by the G.G. on Arakan.

Also India Register 1834.

(2) Bengal Rev. Cons. 29th Sept. 1834. No. 6. Report on Arakan, dated March 29th 1834.

of establishments, and a closer control by the Government of Bengal.

B. MAC SWEEN'S REPORT ON THE TENASSERIM PROVINCES.

When Maingy left Burma, Blundell was instructed to officiate Commissioner; he continued to retain immediate charge of the Amherst district as Maingy had done with his headquarters at Moulmein; while Captain Rawlinson assistant of the town of Moulmein took charge of the police and petty civil and criminal cases of that place, Captain Corbin, the Master Attendant at Amherst, also an assistant controlled the police and petty judicial and revenue duties of that station, while a third assistant James Condamine was entrusted with revenue powers for the whole district. ⁽¹⁾ When Blundell was at Moulmein, he used his discretion about increasing or diminishing the powers of his assistant. The deputy commissioner, Captain Macfarquhar was stationed at Tavoy with powers almost identical with those of a magistrate, collector and civil judge in the Bengal Presidency, ⁽²⁾ and another assistant Lieutenant Leslie resided at Mergui. Mac Sween's

(1) Ibid, No. 1. Mac Sween's Report on Tenasserim dated 29th March 1834.

(2) Idem.

first criticism of this distribution of officials was that although functioning admirably it depended entirely on the character of the Commissioner, and entailed the employment of more European assistants than was necessary. "I should hesitate" he wrote, "to suggest any alterations in a system of agency and control that has worked so well for the interests of the government and the people, but it appears to me that the system ought to be made to depend as far as possible on itself, instead of being entirely dependent on the character of the commissioner. With this view, I would recommend that the Commissioner should in general limit himself to the performance of the duties of a controlling officer with a power to exercise original jurisdiction whenever he may deem it necessary."⁽¹⁾ He then suggested that the office of deputy commissioner be dispensed with, that a senior assistant at Moulmein should be given the Commissioner's ordinary powers of original jurisdiction, while a junior assistant should take charge of Amherst; a second senior assistant should be stationed at Tavoy, and a junior assistant subordinate to him at Mergui. These arrangements he thought would curtail a more equitable distribution of

(1) Idem. para 6.

work which could be regulated by the Commissioner's supervision.

He then drew attention to the fact that all the subordinate posts of government in Tenasserim, under the rank of assistant, were held by natives of the province, and that Burmese and English were the only two languages used in official records and judicial procedure, in this way many of the complications consequent on the employment of foreigners as in Arakan, were avoided, and much unnecessary expense obviated. Simplicity was the keynote of the administration for Burmese officials were just being initiated into orderly methods of government and trained in duties to which they had hitherto been unaccustomed. In many respects, both Maingy and Fullerton had arrived at preserving certain district and village offices common under the Burmese rule, though they were obliged to circumscribe and reduce the powers of the incumbents. The head native judicial and police official of each district was the sitke who received a salary of Rs 100 a month, and resided wherever the European assistant held his office. ⁽¹⁾ The head revenue official of each district was the Akunwun whose salary varied from

(1) See Appendix.

Rs 60 to Rs 80. Under these two came the myothugyis or gounghyouks who appear to have possessed both revenue and police powers over several villages grouped into a circle, and who received from Rs 40 to Rs 50 per month. Lastly, there were the thugyis in charge of villages which Maingy had graded into three classes, and whose salaries varied in the three districts of the province in accordance with their revenue and police powers, some of them receiving as much as Rs 25 per month and others only Rs 15.⁽¹⁾ Blundell suggested to Mac Sween that as the sitkes and Akunwuns were proving most trustworthy and capable they should be empowered to decide petty civil and criminal cases, and Mac Sween in forwarding this request to the Supreme Government, bestowed much praise on the way in which Maingy and his assistants had carried out the regulations drawn up by Fullerton.

For instance, the procedure in civil and criminal cases was simple, and the mode of trial by jury which was very much appreciated by the people, was proving most useful, as was also the expedient of the Sitke's holding his court on the same day as the deputy commissioner at Tavoy.⁽²⁾ The local police, contrary to the practice in Arakan, was entirely in the hands of the people, no tannahs had been

(1) See Appendix.

(2) Idem.
See also above p.

established anywhere, and the thugyis and their peons being entrusted with the necessary police powers, were able to do their duties effectively. The facility with which they could detect and apprehend criminals in the villages proved the best safeguard against crime, and spared government the expense of regular police establishments, although as noticed above, the military forces did much of the work of frontier defence. Still, the groundwork of a good system of local police had been begun, and the natives of the country were beginning to acquire a sense of responsibility and a spirit of co-operation with those who governed them in the maintenance of law and order. Mac Sween commented again and again on the simplicity of the whole system, but he was convinced that such a state of affairs was only possible because of the scantiness of the population, because of the facility with which the inhabitants could gain access to the Commissioner and his assistants, and because of the judicious and efficient control exercised by Maingy over a people "accustomed to unhesitating obedience to those placed in authority over them". When we look back upon the first seven years of British rule in Tenasserim, we are struck with the simplicity of the administration which was a peculiar product of the personal influence of the commissioner, and the particular circumstances of a people just emerging from excessive tyranny and corruption.

When Maingy left, the Supreme Government which had been very largely guided by his ideas and suggestions, took hold of the reins of administration, and Tenasserim was spurred on, or checked as much by outside forces as by the spirit of its inhabitants. The growth of trade brought Tenasserim out of its seclusion, and the merchants of Moulmein being the first influential body in the province with class interest, were able to prevent Blundell from pursuing an independent course of action, and when he opposed them, petitioned the Supreme Government against his acts.⁽¹⁾

In examining the land revenue arrangements of the province, Mac Sween manifested a singular understanding of the local conditions which gave rise to a system of village settlements which were so unlike any of the land revenue settlements in India. Maingy had called his three year settlement a "ryotwari" one, and it was of a ryotwari nature in so far as the peasant proprietor entered into direct relations with the government revenue official of his village about the extent and assessment of his crop, but the land revenue though assessed in kind, was paid in money, and the amount to be paid varied each

(1) See below p 324.

year because it depended on the average market price of rice. Mac Sween considered the system well suited to the conditions and income of the cultivators, for although it involved the annual interference of the European assistant who fixed the commutation price, it saved the inhabitants from the ruin which might follow fluctuations in the price of grain. ⁽¹⁾ Of course, the obvious criticism of the mode of assessment was that neither Maingy nor his assistants could obtain accurate returns of the gross produce of each village, but MacSween unlike Major Broadfoot in 1843, believed "their information to be quite sufficient for the purpose of forming a moderate assessment, and for leaving the advantages tolerably equal to all the villages with reference to the produce and local advantages of each." ⁽²⁾ Another advantage of the system was that a relaxation in demand could be made when necessary because the climate of the provinces enabled the European assistant to visit the different villages and form their own judgment. On Mac Sween's arrival, Blundell had just instituted a seven year settlement on the same principle, but he had been obliged to reduce the assessment

(1) Bengal Rev. Cons. 27th Oct. 1834. No. 1. para 18
Report on Tenasserim, dated March 29th 1834.

(2) Idem, para 19.

on tobacco, betel nut and garden produce from the high rate of twenty five per cent to twenty per cent because it had discouraged the cultivation of these products.⁽¹⁾

Mac Sween then directed his attention to the social evils of the province viz : the practice of gambling, the use of opium and intoxicants, and the institution of debtor slavery.⁽²⁾ He belonged to the class of administrator who strongly objected to a tax on gambling for the Tenasserim provinces, although he realized that it was no easy matter to abolish a practice which had been legalised by the British for seven years and which had proved a productive source of revenue. Like Maingy however, and after inquiries into the conditions, he also expressed a firm belief in the ruinous results of the practice and strongly recommended the abolition of the gambling tax and heavy punishment for delinquents. He then suggested that the control of the sale of intoxicants be placed in civil hands, instead of being wholly controlled by the Commissariat officer of the troops at Moulmein, for, although such a proceeding was in accordance with the rules of the Madras Presidency, it was not practicable for a place like Moulmein, where a

(1) Idem. para 20.

(2) Idem. paras 24-6.

large part of the town extended for more than two miles away from the cantonment area.

The prevalence of debtor slavery had greatly abated by 1834, owing to the judicious regulations drawn up by Fullerton and the increase of cultivation, and Mac Sween considered it time that Government took active measures to accelerate its extinction. He stated that this could best be done by the issue of a Government declaration which stated that after 1835, no contracts for debtor slavery would be enforced by the courts of justice in the province, a measure which would act as a check on reckless spendthrifts, and yet preserve the aid which the practice afforded to children and enterprizing persons (1) who needed capital for their schemes.

Finally, he put forward several useful suggestions about the trade of the province and advocated experiments in the growth of Pernambuco cotton in the Amherst district as suggested by Blundell, and the deputation of Dr. Richardson on another mission to the Shan States to foster the trade of Moulmein. He did not think that Europeans could be encouraged to settle in the province owing to the high price of labour, and he was not in favour of granting them special terms for the lease of lands, considering Maingy's plans in this respect premature

(1) Idem.

While Mac Sween was conducting his inquiries in Arakan and Tenasserim, the Charter Act of 1833 was making important changes in the administration of the East India Company.⁽¹⁾ By it the Presidency of Bengal which had increased to huge dimensions was divided into two presidencies viz : the Presidency of Fort William in Bengal, and the Presidency of Agra. The Governor-General of Bengal was in future to be termed the Governor General of India, as well as the Governor of Bengal and the commercial activities of the company were to cease. These changes did not actually come into force in Bengal till 14th November 1834, when Lord William Bentinck took on his double role. A new grouping of departments was made, and separate proceedings were begun for the Governments of India and Bengal. Henry Prinsep was appointed Secretary of the General, Foreign and Financial Departments, while William Macnaghten took charge of the Secret, Political Revenue and Judicial Departments. The Secretariat of the Government of India was not separated completely from that of the Government of Bengal till 1843. In the meanwhile, the provinces of Arakan and Tenasserim were placed under the control of the Government of Bengal.

(1) "A Handbook to the Records of the Govt. of India in the Imperial Record Dept. 1748-1859 (pub. 1925) pp 15-16
Also Foster, A Guide to the India Office Records 1600-1858, pp 57-9.

On 4th September 1834, after a perusal of Mac Sween's report, Lord William Bentinck wrote a most important minute⁽¹⁾ on the future administration of the Tenasserim provinces; his suggestions were approved by the other members of council, and a reorganisation of establishments and powers resulted. A letter was addressed to Blundell, appointing him Commissioner of the Tenasserim provinces on the allowances drawn by Maingy⁽²⁾ and the following scale of establishments as suggested by Mac Sween was to be maintained. In the Amherst district, Blundell was to have the aid of James Dela Condamine as Senior assistant on a salary of Rs 600 per month,⁽³⁾ and of Captain T.A. Corbin as junior assistant,⁽⁴⁾ on a salary of Rs 300 per month. In the course of the year, Corbin took on the duties of Master Attendant and Naval Storekeeper,⁽⁵⁾ and received Rs 400 per month. Then Captain Hugh Macfarquhar was appointed a second senior assistant to the Commissioner in charge of Tavoy and Ye on a salary of Rs 1000 per month,⁽⁶⁾ and Lieutenant MacLeod junior assistant in charge of Mergui

(1) Bengal Rev. Cons. 27th Oct. 1834. No. 14. Minute by the G.G. dated 4th Sept. 1834.

(2) Bengal Rev. Cons. 27th Oct. 1834. No. 15. Instructions to Blundell dated 13th Oct. 1834. Maingy's salary according to Crawford in 1827 was Rs 2927. see above p

(3) Ibid, No. 16.

(4) Ibid, No. 17.

(5) Selected Correspondence, Tenasserim, p. 135. Letter to the Register of the Sudder Dewanny Adawlut from Blundell, dated 28th Feb. 1835.

(6) Bengal Rev. Cons. 27th Oct. 1834. No. 18.

on a salary of Rs 600 per month. ⁽¹⁾ Adopting Mac Sween's suggestions about the powers of all these officials, the Bengal Government confined those of the Commissioner to that of a controlling officer over the work of his assistants, and very much reduced the extraordinary privileges which the Commissioner of Tenasserim had enjoyed over the Commissioners of Arakan and the Regulation provinces. In 1833, as previously noticed, ⁽²⁾ Maingy had possessed the power of capital punishment on his own authority and had corresponded directly with the Governor-General in Council on all administrative matters; Lord Bentinck however, felt that no special reason existed for making the Commissioner of the Tenasserim provinces an exception to the Bengal system, and he considered it essential that the Supreme Control over the revenue and judicial affairs of the provinces be entrusted to the Courts of Sudder Dewanny and Nizamat Adawluts and the the Sudder Board of Revenue respectively, while "the powers of the assistant, senior and junior, be restricted to those which are exercised by officers of the like grade

(1) Ibid, No. 19.

(2) See above p 132

(1)
in Arracan". Blundell was therefore instructed in future to address all his correspondence and submit his periodical reports on civil and criminal justice and on revenue to the above mentioned courts and Board, while in police matters he was to correspond directly with the Revenue and Judicial Department of the Government of Bengal, submitting an annual report on crime with comparative statistics for the preceeding year. (2)
At the same time, the Bengal Council expressed their admiration of the "system of administration" and "mode of conducting business", which had been introduced by Maingy, and as it had worked so well "for the comfort and advantage of the people, as well as for the interests of Government", it was stated that the Sudder Courts and Board should not order any alterations without the previous sanction of Government. (3)

The functions and powers of the Commissioner and his assistants were to remain the same, except for the following modifications :- Unless absolutely necessary the

(1) Bengal Rev. Cons. 27th Oct. 1834, No. 14. Minute by the G.G. dated 4th Sept. 1834.

(2) Bengal Rev. Cons. 27th Oct. 1834, No. 21. Instructions to Blundell from Vice President in Council of Bengal, paras 3-4.

(3) Idem, para 5.

commissioner was not to exercise any original jurisdiction whatsoever, all original suits were to be decided by his subordinates, an appeal might be preferred to the Commissioner and then a further special appeal to the Sudder Dewanny Adawlut in accordance with the rules for special appeals from the decision of zillah and city

(1)
judges in Bengal. This change was introduced in order that Blundell might exercise the uniform and equal control over the work of his assistants advocated by Mac Sween, although he was at the same time empowered even when not appealed to to amend or reverse all faulty judgments by his assistants. Secondly, the Commissioner's criminal powers were reduced. He was to supervise the criminal work of his assistants as Maingy had hitherto done, but although he was empowered to award sentence of death, he was not allowed to proceed with the execution of a criminal or to imprison for a period over 14 years in fetters, without the confirmation of the Sudder Nizamat Adawlut, (2) to which he was to forward his proceedings in such cases.

(1) Idem para 7.

(2) Idem para 9.

Finally, the Bengal Council, being convinced from the reports of Maingy and Mac Sween of the evil effects of gambling in the Tenasserim provinces, forbade the issue of any new licences for the maintenance of gambling houses, ⁽¹⁾ hoping that on the expiration of the existing licences, the practice would altogether cease for lack of official recognition. Unfortunately, the sale of opium could not be prohibited for fear of injuring those greatly addicted to the use of it, but the Bengal Government considered that the evils attending it might be considerably reduced if the licences issued for opium, in future, forbade the practice of gambling in opium shops. As regards the non-recognition of debtor slavery suggested by Mac Sween, Blundell was asked to give his opinion as to when it would be practicable to withdraw legal recognition of the practice and also to state what extension of judicial and revenue powers might be given to the native officials in the Amherst district.

(1) Idem, para 17.

B. MAC SWEEN'S REPORT ON ARAKAN.

The administrative affairs of Arakan occupied much more of Mac Sween's time and attention than did the administration of Tenasserim, partly because he had to visit both the civil and military headquarters of the province, and partly because the land revenue assessments in each district varied according to the ideas of the assistant in charge. As noticed at the end of Chapter III the rates on rice lands and garden produce were by no means uniform, while Walters had attempted to introduce the Chittagong "doon" as a land measure. Then although a part of the districts of Akyab and Sandoway had been temporarily formed into the small district of An, doubts still existed as to the healthiness of the latter for Europeans, and the police system of the province which had become much more complicated than that of Tenasserim with the introduction of tannah establishments. Mac Sween was therefore obliged to call for revenue and police reports from each assistant in the province, before he could form any opinion of the reforms which ought to be introduced, and strove with the aid of the Superintendent's knowledge and experience to arrive at some conclusion about the best plan for the future. Too many men had been concerned in the administration of Arakan since the acquisition, and

although Blunt had drawn up excellent rules for a uniform system, the application of them had been defective, owing "to the frequent change of officials employed, and to their ignorance of the language."⁽¹⁾ Walters wished to follow out a policy for the administration of the province, utterly dissimilar to that laid down by Halhed,⁽²⁾ and although he was right if Arakan was to be placed under the charge of a commissioner who was occupied in administering territory subject to the Regulations, he was not right from the point of view of promoting the resources of the province, and the happiness of the governed. There was no other reason beyond mere administrative convenience why Arakanese indigenous institutions should die, and Mac Sween's visit checked the decay in time. Lord Bentinck had made two attempts in 1833 to visit the province, but he had been frustrated by weather conditions and pressure of work, and as Walters had been obliged early in 1834 to go on sick leave, the Bengal Government decided to depute a special official to investigate conditions because Walters unfavourable reports had engendered in them "strong doubts as well as the soundness of the principle" upon which the

(1) Bengal Rev. Cons. 29th Sept. 1834. No. 6. Report on Arakan by Mac Sween dated March 29th 1834.

(2) See above Chapter III p.

revenue system in that province was founded "as upon the efficiency of the superintendence of it."⁽¹⁾

When Mac Sween arrived in Arakan, he found the province divided into the three large districts of Akyab, of Ramree including Cheduba, of Sandoway, and the small district of An.⁽²⁾ Captain Dickinson the Superintendent whose headquarters were at Akyab, conducted the revenue duties of the Akyab district, while Lieutenant Brown as junior assistant had charge of the magistrates office and decided petty civil suits. Captain Williams, senior assistant at Ramree like a senior assistant in Tenasserim had judicial, magisterial and revenue powers for his district, and controlled the work of his sub-assistant, Barnard, who was stationed at Cheduba. Then Captain White was still senior assistant at Sandoway, with powers similar to those of Captain Williams, and Lieutenant Macintosh, junior assistant, was in charge of the small district of An. Captain Dickinson's authority over his assistants was described by Mac Sween as being similar to that of a Commissioner of Revenue and Circuit and Judge

(1) Bengal Rev. Cons. 1st Feb. 1834, No. 8. Minute by the Governor-General.

(2) Ibid 29th Sept. 1834 No. 6. Report on Arakan dated 29th March 1834

of Appeal in Bengal. This whole establishment was further subject to the control of the Commissioner of Chittagong.

The first big criticism Mac Sween made of this state of affairs was that he considered the control exercised over the administration of Arakan by the Commissioner of Chittagong neither efficient nor advantageous, but on the contrary injurious. To begin with, he pointed out that the Commissioner of Chittagong could not visit the province unless Government placed a vessel at his disposal, he was thus unable to gain full information about Arakanese conditions and as the knowledge he gained from reports alone was necessarily imperfect, his interference in the administration "tended to weaken in a great degree the efficiency and usefulness of the control of the Superintendent on the spot, without establishing any efficient or beneficial control of his own."⁽¹⁾ Furthermore, this system of double control besides causing a great increase of unnecessary business, was not understood by the people, and lessened the confidence they might have had in the Superintendent. Every consideration therefore, made it essential that the Superintendent should be made as independent of external control as Blundell was in Tenasserim.

(1) Bengal Rev. Cons. 29th Sept. 1834, No. 6. Report on Arakan dated March 29th.

Secondly, Mac Sween considered it essential that the Superintendent of Arakan should act chiefly as a controlling officer over the work of his assistants. (1) At the beginning of 1834, Dickinson was too much hampered by his duties in the Akyab district to be able to exercise a uniform control over the work of his assistants, who were performing in Ramree, and Sandoway, duties similar to his own in Akyab. It was difficult for him to form correct comparisons between the progress in the different districts, or to establish the uniform system so essential for a province in which the population constantly moved about from one district to another.

The third, obvious, defect in the conduct of the administration, was the use of a language foreign to the province, and the employment of the natives of Bengal and Chittagong in official posts for which natives of the province might very well have been selected. Mac Sween reported that the evidence in cases was usually taken in the Magh language, interpreted into Hindustani, and recorded in both, while the orders of the Commissioner and his assistants were recorded in Persian, a clumsy (2)

(1) Vide, Mac Sween's suggestions for Tenasserim, above p

(2) Idem. para 11.

lengthy, expensive and unnecessary process. As most of the European officials did not know Arakanese, they were obliged to maintain a double establishment for translation. "The same cause" Mac Sween added, "and the employment of natives of Bengal as police darogahs renders the same process and double establishment necessary in the interior. Had Hunter and Paton made a study of Arakanese, essential for all officials as Maingy did in Tenasserim, it is highly probable that the Supreme Government would not have objected to the use of only two languages viz: Arakanese and English."

Then in spite of Walters' appointments, Mac Sween stressed the importance of employing natives of province in police establishments and the law courts. The former during 1833 had granted several Chittagonians sealed sanads authorizing them to plead as Vakils in the Arakanese courts, while he had even been so foolish as to appoint his own serishtadar Kazi of Arakan with the power to appoint (1) naibs to collect the fees of office during his absence. Such acts Mac Sween thought a gross deviation from "the special rules of the province, and the general rules and practice observed in the Regulation Provinces". He feared an influx of natives of the Regulation provinces would bring in its train many corrupt practices which had become common in Bengal, but which the Maghs had not yet learnt.

(1) Idem.

The introduction of a new system of administration in Arakan, as in Tenasserim, should be free from external influences for these often proved more disadvantageous than advantageous for a people being trained in more advanced methods of government, than those to which they had hitherto been accustomed.

The reform scheme which Mac Sween drew out for the future administration of the province was, as follows :- first, he considered it necessary for the future welfare of the province that the control of the Commissioner of Chittagong be withdrawn altogether, that the office of Superintendent be abolished, and that a Commissioner be appointed for Arakan alone. (1) The latter should be given full powers in all civil matters with a fair amount of independence of action. Secondly, he advocated the appointment of a third Senior assistant, in the place of the junior assistant then at Akyab, so that the former might relieve the Superintendent of his heavy duties in the Akyab district, and leave him free to exercise a uniform control over all the districts in the province. Thirdly, Mac Sween thought that the senior assistant at Ramree might very well be transferred to Kyaukpau which was the more important station on the island, while the

(1) Idem. ~~para~~

sub-assistant from Cheduba should be sent to Ramree. He also believed that the new district of An could be easily controlled by the senior assistant at Kyaukpyu. As a result of Mac Sween's suggestions, the Governor-General in Council in July 1834 abolished the control exercised by the Commissioner of Chittagong, and believing it absolutely necessary that the Commissioner of the province should reside in it, appointed Captain Dickinson,⁽¹⁾ Commissioner of Arakan while a transference of all records from Chittagong to Akyab was ordered. Then still guided by Mac Sween's suggestions, they issued a full set of instructions for Dickinson's guidance. To begin with, like Blundell in Tenasserim, he was placed under the control of the Sudder Dewanny and Nizamat Adawluts, and the Sudder Board of Revenue in all matters pertaining to criminal and civil justice and revenue ~~matters~~ respectively; while for police affairs he was to correspond directly with the Revenue Department of Bengal. In internal affairs, he was to exercise all powers hitherto exercised by Halhed and Walters but, with the following modifications which were almost identical with those laid down for Blundell in Tenasserim. He was forbidden to exercise original jurisdiction unless such was urgently necessary, but as in Tenasserim, all sentences of death and im-

(1) Bengal Rev. Cons. 29th Sept. 1834. No. 27. To Capt. Dickinson from Govt. of Bengal, Revenue Dept.

prisonment for 14 years, required the confirmation of the Sudder Nizamut Adawlut. A senior assistant was to aid him in his duties at Akyab, ⁽¹⁾ so that he might have more freedom in controlling the work of all his assistants, the senior assistant at Ramree was to be transferred to Kyaukpyu, which gradually gave its name to the tract of country originally known as the Ramree district and the sub-assistant at Cheduba was to be transferred to Ramree. ⁽²⁾ The Supreme Government however, remained firm on the necessity of maintaining An, as a separate district, and although Lieutenant Macintosh, the assistant in charge died just after Mac Sween's departure, they stated that his reports of the district had been by no means unfavourable, and An both from a military, and commercial point of view, was the key into the territories of the King of Ava, and was to be maintained at all costs.

The Governor-General in Council then on Mac Sween's advice laid it down that "the business in the Judicial and revenue offices of Arakan should be wholly and invariably conducted in the language of the country" as soon as circumstances would admit of it, and "the *being* a master of the Mug language should therefore be a sine qua non to the nomination of any person to a situation of

(1) Bengal Rev. Cons. 29th Sept, 1834. No. 24. Letter to Mac Sween from the G.G. dated 25th July 1834. Para 8.

(2) Idem. para 8.

(1)
responsibility." "It is impossible", they wrote, "that
the people can feel confidence in the administration of
their affairs when they see the necessity of interpreters
being employed between them and the authority to whom
they have to look for justice, and the decision in their
cases passed in a language they do not understand." (2)

Mac Sween had been the first man to express the necessity
for abolishing the use of interpreters, and although,
Robertson, in his very first minute, after his appointment
to the British Commission during the war, had advocated a
knowledge of the language of the country to obviate the
need of interpreters, his early principles had been entirely
neglected in Arakan, owing to the short-sightedness of its
administrators. Although the administration of Arakan had
been imposed from above, the Bengal Council had not been
averse to useful suggestions from its agents in Burma;
Maingy and Fullerton in Tenasserim had made the best use
of their opportunities and never tired of repeating requests
which were in two or three cases finally granted. In Arakan
however, the reforms which were so obviously necessary in 1833
had been delayed, partly, because of the lack of initiative
and administrative talent on the part of the earliest

(1) Bengal Rev. Cons. 29th Sept. 1834. No. 24. para 4.
Letter to Mac Sween from the G.G. dated 25th July 1834.

(2) Idem.

commissioners and partly because the subordination to the Commissioner of Chittagong had prevented the superintendent from expressing his convictions.

In his report on the police system in Arakan Mac Sween stated that it was defective also, because of the employment of foreigners, and the small share which the people themselves had taken in the maintenance of law and order. He convinced the Bengal Government of the necessity for dispensing with many of the tannah establishments and substituting in their stead a system of village police which could be developed with the help of kyouks and thugyis. Simplification of the administration of police and justice was the crying need of the moment, and the cooperation of headmen and villagers in the prevention of crime. Now that Dickinson had been given fuller powers and the use of Persian and Hindustani were to be gradually dispensed with, (1) there was no reason why kyouks, thugyis and the inhabitants generally should not be trained and encouraged to take on official duties. The maintenance of peace, and the establishment of an efficient police, should be primarily the work of the people of the province. This ideal has not been attained even to-day, but a stimulus was undoubtedly given in 1834 to the policy of instilling in the natives of Burma a responsibility in the detection and

(1) Bengal Rev. Cons. 29th Sept. 1834. No. 27 Para 13 to Dickinson from Govt. of Bengal.

prevention of crime, and the village system of police was saved from a disastrous death.

The biggest problem which confronted Dickinson in 1834 however was that of introducing some efficient mode of taxation in Arakan. Mac Sween in reviewing the land revenue arrangements of the province pointed out that for the time being a system of annual settlements was the most suitable plan to adopt, because of the difficulties of collecting enough information about the areas under cultivation and because of the fluctuations in the price of grain. Unfortunately, the kyouks and thugyis were still able to deceive their superior by the preparation of two sets of accounts, one which they imposed on the inhabitants and the other which they showed to the European assistant. It was not always possible therefore to trace the amount actually collected from the people or to fix equitable assessments. The tax on ploughs, the nearest approach to a land tax averaged from Rs 6 to Rs 10 on each plough, ⁽¹⁾ and the taxes on tobacco, cotton and indigo were double this amount. Captain White had already begun in the seven circles adjacent to Sandoway, the system of assessing lands by measurement at the rate of Rs 10 on ⁽²⁾ every Chittagong doon, and under Walters instructions,

(1) Bengal Rev. Cons. 29th Sept. 1834. No. 6. para 20. Mac Sween's Report on Arakan dated March 29th 1834.

(2) Idem.

Dickinson had begun a measurement of all the lands in the Akyab district, although land measurements had not been introduced in Ramree or Cheduba. Mac Sween therefore recommended that an "intelligent" and "experienced uncovenanted assistant of the Revenue Survey Establishment of the Western Provinces be sent to Arakan to survey the lands in two or three circles in order to check the returns handed in by the thugyis. Owing to the unhealthiness of the climate the assistants in Arakan unlike those of Tenasserim were not able to make as extensive tours throughout their districts at all times of the year; the cultivated areas were often surrounded by uncleared jungle, and Captain White reported that, in Sandoway, it was a common practice to report the use of only one plough and pair of cattle when several had been used. Moreover, it was extremely difficult for the assistant to check this form of deceit when he was obliged to communicate with the thugyis through the aid
(1)
of an interpreter.

Then, most of the officials in Arakan were agreed that the commission of fifteen per cent allowed to kyouks and thugyis was excessive, and that of four per cent for the headmen of villages too little, for the latter

(1) Idem.

were much more occupied in the policing of their villages. (1)
Unfortunately however no change was made in the commission paid to these men, and the village headmen were still poorly paid. Mac Sween's suggestions for the improvement of the existing system were first the introduction of Maingy's system of allowing the cultivators in a village to adjust among themselves the amount assessed on the whole village, a practice which Captain Williams had already begun in Ramree, secondly, that the plan adopted by Dickinson in Akyab of dividing up a circle into three or more classes assessed at different rates, might also be tried, and thirdly that local officers should fix assessments on each village according to its relative productiveness and local advantages. He was opposed to the grant of long leases till the prices of rice became steadier because they only tempted the agricultural community to enter into high settlements which they were obliged later to revise.

The capitation tax still remained the most productive tax in the province, in spite of the fact that it had been lowered from time to time and exemptions granted in favour of certain individuals. (2)
Mac Sween stated that it was not as unequal as some people thought, because, the people

(1) Idem para 52.

(2) Idem para 19.

preferred it to any other mode of taxation, and this was the case also with the miscellaneous taxes classified under the heads of fisheries, commercial and professions which Walters had tried to abolish. For the present therefore, the capitation tax was allowed to remain, though it was hoped that the several of the miscellaneous petty taxes might be abolished.

Unfortunately, in 1833 and 1834, the salt industry in Arakan was not nearly in as flourishing a condition as had been expected. Mac Sween stated that it was not possible for Government to depend on any large and regular supply from the province, although the island of Ramree possessed great facilities for the manufacture; he thought that if sufficient encouragement was held out to the Maghs that Government would purchase salt from them for two or more years at certain rates, the industry would be largely increased, especially in Ramree. The Abkari tax also was small in amount, and Mac Sween was not in favour of its retention but as orders had recently been issued from the General Department, Bengal, for its introduction, it was maintained.

Finally, Mac Sween concluded his report on Arakan with a most favourable review of the growth of trade in the Akyab district within the few years subsequent to 1834. "The town of Akyab" he wrote, "has a very thriving appearance. The streets are broad, and the shops and

markets clean and well-supplied. New houses are rising, and the population is gradually increasing. The people appear to be orderly, busy and contented. The port clearances exhibit a great increase of shipping, particularly within the last month of February, which seems chiefly caused by the great demand for rice on the Coromandel Coast. All vessels square rigged pay Rs 12. This is said to be objectionable as falling very unequally; small square rigged paying nothing."⁽¹⁾ He therefore suggested that, in future, it would be necessary for the Government of Bengal to issue strict instructions about the control of the trade of Akyab, which was rapidly increasing. All reports of the period describe the progress in trade and shipping in Akyab and Ramree, since the British occupation. The port of Akyab which in 1830-31 had been visited by one hundred and forty square-rigged vessels with cargoes of the value of Rs 73,779, exhibited in its port clearances of 1833, one hundred and seventy-eight vessels, which carried away exports of the value of Rs 93,806.⁽²⁾ Besides this trade, which was entirely carried on by square-rigged vessels, we read of "another branch" which was monopolised by "the large sea-going boats of the province", the figures for which are not available, but which was roughly estimated

(1) Idem, paras 59-60.

(2) Pemberton, Report, p 85.

at two lakhs of rupees per annum before the war and which was said to have largely increased since, for by 1833, every town and bazaar in Arakan was well supplied with British goods such as muslins, woollens, piece-goods, cutlery, glass and crockery, a fact which proved that the corresponding exports must also have been considerable. (1) A great future lay in store for Akyab, as far as trade was concerned, and the Government of Bengal were being rewarded for their persistent belief in the merits of the port as the headquarters of the civil government of the province.

(1) Pemberton, op. cit., p. 86.

CHAPTER V.

THE COMMISSIONERSHIP OF BLUNDELL AND THE CRITICISMS OF
BROADFOOT. 1834-1843.

One of the salient features of Blundell's period of office is the rigid degree of control to which he was subjected by the Sudder Board of Revenue and the Dewanny and Nizamat courts of the Bengal Presidency. An attempt was made to introduce regularity and method into the hitherto personal administration of the Tenasserim provinces and to bring isolated developments into an organised system which, if different from that of the Regulation Provinces in certain fundamental features because of local conditions, should yet proceed along similar methods of business routine and administrative detail. With the growing complexity of affairs with the influx of immigrants, the increase of the merchant class and the spread of agriculture, more elaborate rules of justice and police became necessary. The multiplication in the number of convicts sent to the jails at Moulmein, Tavoy and Mergui, made it imperative that the management of the prisoners should be regulated, for they were employed to serve two useful purposes, first to make up for a deficiency of native inhabitants, and secondly, to perform the public and domestic labour in

towns. In their train and with the Madras troops, came many natives of India, artizans, domestic labourers and merchants, and all the difficulties of administering two different nationalities from which Tenasserim had been almost wholly free, ^{and} which the administrators of Arakan had to deal with from the very beginning, crept into the administration. On 20th February 1839, Blundell in reporting his police arrangements stated that the town of Moulmein had become a mixture of people of all castes and nations and hence there was more temptation to vice than there had been formerly. ⁽¹⁾ A few years later, he was obliged to ask for an increase in judicial establishments, because of the necessity of employing interpreters to deal with the petty cases filed by immigrant Indians.

The main developments of the period were first, the introduction of a Septennial Land Revenue Settlement 1834-40 which was not altogether a success, but which was an attempt at giving cultivators an interest in improving and extending cultivation, secondly, the increase of the civil and criminal powers of sitkes and goungekyouks, whose functions were still of a revenue, police and judicial nature, and thirdly, various measures directed

(1) Selected Correspondence, Tenasserim, p. 177. No. 248. Letter to Govt. of Bengal from Blundell dated 20th Feb. 1839.

towards the promotion of trade with the Shan States and China, the extension of communications, the definition of boundaries and finally, the regulation of the cutting and sale of timber by the appointment of a Conservator of Forests.

A review of the correspondence between Blundell and his superiors at Bengal reveals the fact that he was obliged to spend much time in explaining to Presidency officials, the circumstances peculiar to life and conditions in Tenasserim, for neither his land revenue arrangements, nor the various taxes instituted by Maingy and Fullerton, and continued by him, were intelligible to the Sudder Board, who, very often were in favour of abolishing just those very taxes which he wished to retain, while the inconsistencies and peculiarities of Burmese customary law were looked upon by the judges at Calcutta as being either ignorantly superstitious or needlessly opposed to individual and social rights. For instance, as early as the beginning of 1835, the judges of the Sudder Nizamat Adawlut expressed in a letter to Blundell their impression of the extraordinary degree of interference on the part of the local courts in Tenasserim with the domestic relations of the people, especially in that of man and wife. ⁽¹⁾

(1) Selected Correspondence, Tenasserim, p. 139. Para 5.

Blundell, in reply, was obliged to explain that what looked like interference was only an attempt to raise the status of the female sex and protect the married woman. Marriage, in Burma, is a civil and social institution which is brought about (1) by a very simple ceremony and is as easily severed. Consequently, it was difficult for the courts in Tenasserim to deal fairly with disputes which were constantly arising between man and wife. Maingy had tried to check the indiscriminate system of divorce and improve the marriage bond "by taking no cognizance of any disputes between unregistered parties, and by throwing every impediment in the way of those (2) who are registered and desire to obtain divorces." In this respect, Blundell pointed out there was a distinct difference between Burmese and Indian social conditions, a difference which accounted for the extreme frequency of conjugal disputes, in Tenasserim, many of which ~~often~~ were often filed by the same parties and not worth considering. It was impossible and impracticable at the time therefore, to lay down any law on the subject, but the Penal and Civil codes of to-day have to a large extent retained Burmese customary law on that matter as well as on that of inheritance.

(1) Grant Brown, "Burma as I saw it". p 59. "When a young man wishes to marry the girl of his choice he usually sends someone on his behalf to demand her from her parents : and his parents and hers meet together and invite a few friends, whom they regale, if they follow the old custom, with pickled tea." A marriage can also be brought about by the living together of the couple.

(2) Selected Correspondence, Tenasserim, p. 139. para 5.

Then again and again, we find the Sudder Board complaining of the inadequacy of the revenue returns from Tenasserim. Blundell at this time submitted half yearly reports on civil and criminal matters and yearly reports on revenue. An attempt to prescribe certain fixed forms was unsuccessful and the Commissioner when reproved for neglect in the matter replied that only 12, out of the 30 periodical returns sent, applied to conditions in Tenasserim. (1) Nevertheless, Blundell was required to report every little detail of expenditure to the Sudder Board ; he even had to get permission for his wine and table stores as well as furniture; every item had to be explained, and many of his letters contain requests for more freedom to authorize expenditure for the development of trade and public works. A record of his correspondence with the Government of Bengal and the Sudder Board and Courts therefore, is full enough, as far as giving us a fairly accurate narrative of events is concerned, and for that reason, is complicated, for it necessitates an examination into masses of correspondence in which measures are discussed at great length, while often the document sanctioning or modifying the measure is difficult of discovery. Often too, the Governor of Bengal, and the Deputy Governor and Council supervised and acted as a check to the orders of the Sudder Board and Courts, while all matters not revenue or judicial such as

(1) Precis of Letters, Tenasserim, p. 46. To Register of the Sudder Dewanny Adawlut from Blundell dated 12th December 1835.

those relating to political affairs or the army were dealt with by the Governor in person, or by the Government of India. As early as 1830, the Court of Directors in England had complained of the length and verbosity of letters, ⁽¹⁾ and officials had been instructed to send abstracts of them instead, but the abstracts, owing to the rigid degree of centralization, tended to become as long as the original letters had formerly been, while the commissioners in Burma still made frequent requests for stationery.

A. THE INCREASE OF POWERS FOR ALL OFFICIALS

Shortly after Blundell had been appointed Commissioner of the Tenasserim Provinces, he was requested by the Sudder Board of Revenue for an opinion as to the judicial and police powers to be entrusted to native officials and the increase ⁽²⁾ of civil and criminal powers for his assistants. In reply he recommended extensive powers for native officials because the latter needed them and were not likely to abuse them as they were subject to the strict supervision of the Commissioner and his assistants, while all classes had "free

(1) Precs of Letters, Tenasserim, p. 85. Extract from Public General Letter from the Court of Directors, dated 10th Feb. 1830.

(2) Selected Correspondence, Tenasserim, p. 125. No. 129. from Sec. and Pol Dept. Bengal from Blundell dated 23rd Feb. 1835.

and unrestrained access" to the Commissioner and Assistants. He then stated that the native officers to whom he would entrust judicial powers were as follows :-

<u>At Moulmein,</u>	2 sitkes or general head natives.
	6 gOUNG-KYOUKS or district head natives.
<u>At Tavoy,</u>	1 sitke.
(including Ye.)	5 gOUNG-KYOUKS
<u>At Mergui,</u>	1 sitke.
	(1) 3 gOUNG-KYOUKS.

The sitkes who had been provided for in Fullerton's regulations and whose powers and functions during Maingy's tenure of office were not well defined were in 1835, according to Blundell, mere police officials who evidently resided at the chief towns of Moulmein, Amherst, Tavoy and Mergui. They had no power to decide or award punishment in cases brought before them; ⁽²⁾ their work was confined to preparing the case for the European officer, that is they examined and recorded evidence, issued orders for the apprehension of offenders, and superintended all other native officials in their 'province' (district) in police matters. "In no case", wrote Blundell, are

(1) Idem. pp 125-126. paras 2-3.

(2) Idem, para 4.

they allowed to act except on emergency, without the sanction of the European officer or without immediately (1) reporting their proceedings to him.

The gOUNG-gyOuks however also possessed both police and revenue powers in their districts or circles. Their police duties were confined to taking cognizance of all offences within the area of their jurisdiction, examining offences and arresting offenders and they were under the superintendence of the sitke. In addition, however, "all orders to heads of villages on police, and revenue subjects were transmitted through them." At this time, the Akunwun was still the head native revenue official or (2) clerk of each district.

Blundell's suggestions for the grant of civil and criminal powers to these men were as follows :- First, in civil matters, he recommended original jurisdiction for the sitke in all suits under Rs 100, in all cases of inheritance, and in disputes between man and wife, with an appeal in every case to the European assistant in charge. He believed that in the latter cases, a native judge would be able to give a more satisfactory decision than a European and the appeal would benefit both the sitke and European assistant because "the equity

(1)

(2) Idem. para 5.

and sense of justice of the one would be opposed to the ancient, though perhaps vicious customs of the other, and a medium would be selected tending towards the formation of what I am most anxious to see completed a Code of Law for the guidance of ourselves and of the people under our charge." (1) Lieutenant-Colonel

Burney had already tried an excellent plan in Tavoy of the Sitke holding his court on the same day as the European assistant with admirable results. (2) In criminal matters, he thought the sitke should have the power of two months imprisonment without irons, or a fine of Rs 20 with an appeal to the assistant commissioner.

For the gOUNG-KYOUNK, he recommended original jurisdiction in all suits under Rs 50 in value, with an appeal to the assistant commissioner, and the power to hear all cases while touring through the villages in their district, and that a monthly abstract of all such should then be handed to the assistant commissioner. Blundell thought it most useful that, as most of the cases brought before the gOUNG-KYOUNKS would be those concerning disputed boundaries, the system instituted by Maingy, of the assembling of a punchayet including the

(1) Idem para 7.

(2) Idem para 8.

thugyi or headman with a respectable villager selected by each party should be continued while no appeal should be allowed unless the gOUNG-KYOUNK differed from the punchayet. He also thought it desirable that in cases where litigants resided at a long distance from the chief town that, the gOUNG-KYOUNK be instructed not to decide, but merely to inquire into the merits of the case. "It often happens," he wrote, in such cases, "that one of the parties sees the uselessness of further proceeding, and the suit is amicably settled". He did not consider it wise to give the gOUNG-KYOUNK power of imprisonment, but only the power to impose a fine of Rs 10 in petty disputes and broils. The town of Moulmein had become the residence of "such a motly assemblage from all parts of Asia" that it was difficult to establish the authority of a native judge and magistrate, and so he considered it would be advisable to limit the authority of the latter to civil suits or criminal cases, only when a native of the country was plaintiff or defendant, leaving the cases between foreigners to come
(1)
before the European officer. At the same time, he stressed the importance of training up native officials for responsible posts, so as to destroy all fears of

(1) Idem. para 11.

corruption and injustice from them on the part of the inhabitants, for no real progress could be achieved till sitkes, gOUNG-kyouks and thugyis were trusted and respected by those over whom they were placed.

Blundell also earnestly requested that his assistants should be given the full powers of magistrates during his absence from the chief towns in Tenasserim, for up to 1834, persons arrested for small offences were often detained till the arrival of the Commissioner and unfortunately were often confined with criminals charged with serious offences.

In reply to Blundell's requests the Government of Bengal agreed that the sitkes and gOUNG-kyouks should be given the powers he recommended, ⁽²⁾ and letters were addressed to the 3 sitkes, Maung Taulay of Moulmein who received a salary of Rs 125 a month and to Maung Shwedwoon and Maung Myat Phyoo at Tavoy and Mergui, while the gOUNG-kyouks were also vested with the necessary ⁽³⁾ authority.

The assistant commissioners of Tavoy and Mergui, Macfarquhar and MacLeod were also vested with full

(1) Idem, para 17.

(2) Sel. Corr. Tenasserim, page 248.

(3) Ibid. pp 148-150. Rules and Instructions to sitkes and gOUNG-kyouks.

magisterial powers during Blundell's absence from their districts, and were empowered in all cases of theft, burglary and the like to inflict sentence of imprisonment with labour in irons for 2 years, and in cases of affrays, breaches of the peace to punish by a fine not exceeding Rs 200 commutable into imprisonment without (1) irons, and with or without labour for one year. They were also instructed to send to the Commissioner half-yearly abstracts of all criminal and civil cases with detailed accounts of the offences and the state of the jails without reference to the Bengal convicts. They were to hold daily courts when at their chief stations, and all complaints were to appear personally and state viva voce or by petition the nature of their (2) complaints or demands in order to check needless litigation. In civil matters, the assistant commissioners had already received powers of original jurisdiction to any amount.

(1) Sel. Corr. Tenasserim, p. 147. Instructions to assistant commissioner at Tavoy from Blundell, dated 20th April 1835.

(2) Idem. p. 147. paras 6 and 7.

B. BLUNDELL'S REVENUE ARRANGEMENTS.

Maingy, in his last administrative report, in discussing the future land revenue arrangements for the Tenasserim provinces had suggested that a fixed assessment on rice lands for a period of years would be the best course towards increasing the cultivation and freeing cultivators from the harassment of an annual settlement. On Maingy's departure therefore, and on the expiry of the triennial settlement Blundell drew up the details of a scheme for a septennial settlement of the revenue on rice lands. (1) In his ten rules he provided for the recognition of heirs, the cancelling of an agreement by the payment of a year's duty in advance in order to check wanton desertions, a remission in cases of the failure of crops and an exemption from all duty for foreign immigrants for the first year and payment of one half of the amount due for the second year, provided they engaged in cultivation within two years of their arrival. (2) The amount was fixed in kind, and proposed to the assembled villagers of every village by the Commissioner or one of

(1) Sel. Corr. Tenasserim p 170. Clauses 1-10. To Sudder Board from Blundell, dated 27th Nov. 1837.

(2) Idem. Clause 10.

his assistants while the villagers were left to divide
up the amount amongst themselves. ⁽¹⁾ In explaining

his settlement to the Sudder Board of Revenue, Blundell stated that at the time, it was instituted, the demand for rice was high, and the circumstances of the cultivators so flourishing that he had high hopes of its success in promoting the extension of cultivation. He had refrained from introducing a fixed money assessment because of the astounding fluctuations in the price of grain, and because he feared that the cultivators might have unthinkingly acquiesced to them. As it happened however, the Septennial Settlement except for the first year when the increase was high was far from being a success. At the time of the settlement, the demand for rice was very high because a famine had
X broken out in China, and large quantities were transhipped to the latter place through Prince of Wales Island; the price of paddy rose therefore to Rs 30 or Rs 35 per 100 baskets, but by 1836, the price had dropped to Rs 14 or Rs 18 with disastrous effects on the cultivators. ⁽²⁾

(1) Idem. p 171

(2) Idem.

In addition to this, during the year 1836, an epidemic among the cattle and buffaloes killed off as many as 12,000 buffaloes and so decreased the means of cultivation, that in the Amherst district, Blundell had been obliged to cancel the septennial settlement and allow cultivators to revert to the old system of annual assessment on the amount of the crops. He explained in the following words to the Revenue authorities of Bengal the difficulties of taxing cultivation in Tenasserim, and the impracticability of introducing money assessments. "It must be borne in mind", he wrote, "that in a thinly populated country like this where the price of labour is enormous, and food so abundant, the persons who engage in cultivation may in a great measure be looked on rather as speculators than as real agriculturists. The mode of cultivation is slovenly in the extreme. All is left to nature. The ground is slightly turned up, the seed sown broadcast and in a few months, the owner revisits his land and gathers in his crop. Were a fixed money assessment established, to be paid on the land whether cultivated or not, it might answer well enough so long as the assessment was below the price of grain in the market, but as soon as the price fell a large quantity of land would be thrown out of cultivation, and if the assessment were demanded

on such unused land it might have the effect of driving many people out of the country to escape it."

By 1837-38 however, affairs had improved and the revenue was again on the increase. In reviewing the revenue and taxation for the two years 1837-39, Blundell's report exhibited the following increase in the commutation price of grain :-

	1837-8	1838-9	
Amherst	20	30	} per 100 baskets of paddy, a basket being equal to 56 lbs.
Tavoy	18	26	
Mergui	35	30	

The market price of grain differed in each province; owing to the number of ships that visited Moulmein, grain was often exported for want of other cargo with the hope of obtaining a profit, Tavoy was visited chiefly for its rice, while at Mergui the price of rice was high because of the scarcity of cultivation.

The attitude of the Sudder Board of Revenue to all these reports was one of scepticism. Their first criticism of Blundell's revenue reports was that as the provinces were remote and entirely dependent on the

(1) Idem. p 172.

(2) Sel. Corr. p. 182. Letter to Sudder Board, dated 9th Dec. 1839.

Commissioner, the information they were sent on revenue matters, was not as detailed as might be desired. It was desirable therefore, that a member of the Board should visit Tenasserim frequently. Because of the fluctuations in the price of grain and murrains among the cattle the Board were obliged to leave the mode of assessment to the Commissioner, although they still failed to see any objection to a money commutation, if the rates were fixed low enough and upon the average of a sufficient number of years. (1) The Government of Bengal referred to a letter from the Court of Directors, dated 1835 on the subject, in which Maingy's assessments were considered judicious, though the fixed land tax of $\frac{1}{4}$ of the produce was considered an unequal tax. "A tax bearing a fixed ratio to the gross produce" they wrote, "is necessarily an unequal tax. Inferior lands may require more than three fourths of the produce to pay the expenses of cultivation, while the lands of greatest fertility could probably afford to pay the Government much more than one fourth leaving an ample profit to the cultivator. If however, this mode of taxation be the only one to

(1) Bengal Rev. Cons. 10th July 1838. No. 68.
Letter to Govt. of Bengal from Sudder Board of
Revenue dated 6th March 1838.

which the people are accustomed, and if there would be great difficulty in forming an assessment on a more sound principle, it may for the present be advisable to adhere to the existing practice, the objection to which, when the assessment is on the whole light, reduces itself chiefly to this that a portion of the lands yields less revenue than might possibly be exacted from it without injury to its prosperity."⁽¹⁾

Then with regard to the grants of land to settlers, they had agreed with Maingy that the customs and usages of the inhabitants should be adhered to, but not, as Maingy had recommended, that the assessment should be fixed in perpetuity. "It is sufficient", they wrote, "if the proprietor be secured in the possession of his lands for ever on a rent to be settled by an impartial arbitrator".⁽²⁾ The assessment of 25% for a period not exceeding 15 or 20 years however was sanctioned as well as Maingy's terms for the grant of waste lands. Although Blundell towards the end of his administration tried

(1) Bengal Rev. Cons. 10th July 1838. No. 67. para 5.
Extract from proceedings of G.G. in C. dated 1st Aug. 1836

(2) Idem, para 6.

to introduce the "acre" as a land measure, he was not successful and all cultivated land was still liable to a tax of 25% on the gross produce.

As the receipts from land revenue had fallen from Rs 159,000 in the first year of the settlement to Rs 80,623 in the third, the Board recommended that on the expiration of the seven year settlement money payments which should be sufficiently low, and which would leave to the cultivator the whole benefit resulting from any favourable change in the market should be introduced. ⁽¹⁾

The receipts from land revenue for the years 1838-39 had risen however to one half of ⁽²⁾ the whole revenue collections which, for that period amounted to Rs 384,608, and the remissions had been reduced to Rs 658. 15 as. The amount of revenue which remained uncollected at the end of the year was considerable in each district, but in Amherst the balance was soon collected, while the arrears in Mergui and Tavoy were being collected. It was during this period

(1) Bèngal Rev. Cons. 26th May 1840. No. 99. para 5. To Govt. of Bengal from Sudder Board dated 15th April 1840.

(2) Idem. para 5.

(3) Idem. para 12.

that Blundell was instructed by the Board to send in his revenue returns annually, and not quarterly, as heretofore. All revenue collections were to be explained in great detail, and not only those on rice lands, as in Arakan, though the returns for grain were to be the same as for Arakan.⁽¹⁾

The other heads of revenue during Blundell's administration were as follows :- garden produce, fisheries, salt, timber, forest produce, (including ivory, cardamums, bees-wax, dammer torches and oil seeds) pot kilns, tin, sapan wood, the Karen poll tax, the various farms and monopolies, marine and judicial receipts, and finally miscellaneous taxes, such as the bazaar tax. The Sudder Board after a detailed examination into the history and productiveness of each tax, secured with the approval of the Revenue Department of the Government of Bengal the abolition of certain items which they considered unnecessary for the prosperity of the province, and a hindrance to the well-being of the inhabitants.

To begin with Blundell in his revenue report of December 1839⁽²⁾ had recommended the abolition of all the

(1) Ibid, No. 99 (cont.) Letter to Blundell from Board.

(2) Sel. Corr. Tenasserim, pp 181-3. To Board from Blundell dated 9th Dec. 1839.

petty ones on garden produce raised only for purposes of local consumption; and recommended that only those on produce exported in large quantities, such as betel-nuts and nepah-palms from Amherst and doorians from Tavoy should be retained. With the exception of betel-nut and coco-nut plantations on the islands, the province of Amherst, at the time of the conquest, had been devoid of extensive gardens owing to the desertion of the villages; Maingy had at first rented the above-mentioned plantations to private individuals, but Blundell reported that they had since been sold to proprietors who paid 4 annas on every coco-nut tree, and one anna on every betel-nut tree per annum. At Tavoy and Mergui however, there were extensive "topes" of mango, jack, plantain and nepah palm trees, while several of the villagers possessed patches of land on which they cultivated sugar-cane, chillies and tobacco. In 1834 a septennial settlement at the following rates had been instituted at Tavoy :-

Coco-nut tress (bearing)		8 annas.
Betel nut	" "	1 anna.
Plantain	" "	$\frac{3}{4}$ anna.
Jack trees	" "	3 and 2 annas.
Doorians	" "	3 annas.

Betel vines Rs 2 to 4 annas.

Chillies per 100 4 annas.

Tobacco per 100 4 annas.

Nepah trees yielding toddy
per 100 ... Re 1.

" " " roofing
leaves per 100 ... 2 annas.
(1)

Sugar Cane per 100 clumps Rs 2.

At Mergui however annual taxes were levied only after the wishes of the people had been consulted, the chief product doorians being liable to a tax of 8 annas per tree. The Board in submitting their views on garden-produce in Tenasserim to the Governor of Bengal seconded Blundell's suggestion that until the demand became sufficient to increase the production (2) the more trifling taxes should be abolished, and (3) the Governor sanctioned the measure.

One of the most controversial items of revenue between Blundell and the Sudder Board was the tax levied on the manufacturers of salt. In 1839, in the Amherst district, the tax was levied at the rate of Re $\frac{1}{4}$ per pot

(1) Ibid, p. 183.

(2) Bengal Rev. Cons. 17th Nov. 1840. No. 18. Para 9
To Govt. of Bengal from Board dated 26th Oct. 1840.

(3) Ibid, No. 19.

which on the average amounted to about Rs 5 per man for the season, though the manufacture was not carried on with any regularity. At Tavoy, each man paid Rs 6 and each woman Rs 3 for the season rates, according to Blundell, which made the amount paid in Tavoy the same as at Amherst. The salt industry at Tavoy however, had greatly declined since 1826, owing to a decrease in the demand for it from Moulmein and Rangoon which now made their own salt.⁽¹⁾ No salt at all was made in Mergui, while the total revenue for salt had considerably dropped from Rs 5,550 in 1836 to Rs 1564 in 1839.⁽²⁾ The Board feared that the produce was beyond the means of a large part of the population but the Governor of Bengal in spite of the objections raised by the Board ordered the retention of the tax. In Burma to-day, the salt revenue consists of a tax in the form of an excise duty on iron cauldrons and earthen pots used in the manufacture, as well as a customs duty on foreign salt, and the industry flourishes best in the Tenasserim division.⁽³⁾

(1) Sel. Corr. Tenasserim, p. 184. To Sudder Board from Blundell dated 9th Dec. 1839.

(2) See Appendix II

(3) Journal of the Burma Research Society, Aug. 1929 Vol XIX Part II. "The Salt Industry of the Amherst District" by H.L. Chibber.

Next the Board was strongly opposed to the imposition of a duty on timber and the poll tax on the Karens. The duty of 15% paid in cash or in kind had been instituted in 1829 by Maingy, and was levied on teak obtained from the forests of the Ataran, the Gyaing and Salween rivers. Rafts were stopped at the three villages of "Nantay", "Phalayn" and "Turruna", at which passes were granted and duty levied; the timber was further examined on its arrival in town, or at the premises of the proprietor. ⁽¹⁾ Timber paid in kind was then auctioned, though some of it was kept for the construction of government buildings. The Board felt that the 15% duty was a hindrance to the working of the forests, and that it was premature for the state of affairs in Tenasserim; Blundell however, pointed out that the duty was necessary as a licence for those who cut timber in the forests, and was not a hindrance a fact proved by the increase in the number of teak wood-cutters. As we shall notice later, he subsequently secured the appointment of a Conservator of Forests who with a small native establishment was able to give his attention to the planting of seedlings

(1) Sel. Corr. Tenasserim pp 184-5.

and proper felling. The Governor of Bengal in the Revenue Department, agreed with Blundell that the 15% duty was both necessary and productive ⁽¹⁾ for the total collections on timber had risen from Rs 13,457 in 1833 to Rs 21,814 in 1839. ⁽²⁾ On the other hand he sanctioned with Blundell's advice, the abolition of the vexatious taxes on forest produce such as cardamums, oil seeds, rhinoceros horns and those on the important products of sapan wood ⁽³⁾ and dammar torches. ⁽⁴⁾

The 20% duty on tin at this time was merely nominal, for although rich mines existed in the Mergui and Tavoy districts they had remained almost untouched for lack of capital and skilled labour.

The poll tax on the Karens which had originally been fixed as high as Rs 15 per family per annum, had been subsequently reduced to rates ranging from Rs 12 to Rs 8. In the Amherst district, the Karens were allowed to adjust the amount due amongst themselves, and so some families paid as much as Rs 20

(1) Bengal Rev. Cons. 17th Nov. 1840. No. 20.

(2) See Appendix. II

(3) The tax on sapan wood was 15% on its market value.

(4) The tax on dammar torches varied from Rs 15 to Rs 6 for each person employed.

per annum, while others only paid Rs 12.⁽¹⁾ During the year 1837-38 nothing had been obtained from the Karens in Tavoy who had emigrated into the jungles to escape the ravages of small pox, but the total amount of poll tax collected during the three years 1836-39 had risen from Rs 18,406 to Rs 23,685⁽²⁾ and the tax formed a considerable item in the revenue collections of Tenasserim, bringing in almost as much as the bazaar tax and Rs 2000 more than the timber duty. It is interesting to note that in spite of Blundell's efforts to the contrary, both the Sudder Board and the Revenue Department of Bengal perceived the injustice of the tax and ordered its abolition. The Board opposed it on the principle that direct personal taxation of a particular class was unequal and unjust and also because there was no good reason for subjecting one class of persons to a tax from which other classes were exempt.⁽³⁾ The Karens henceforth

(1) Sel. Corr. Tenasserim. p 186

(2) See Appendix II

(3) Bengal Rev. Cons. 17th Nov. 1840. No. 18. para 10. To Govt. of Bengal from the Sudder Board dated 26th Oct. 1840

were to be treated as the equals of the Talaings, Burmese and other races in the province, for with the spread of education and Christianity among them they were rapidly growing into a civilised and progressive community. The tax on pot kilns levied only at Tavoy where earthen pots and jars were made in large quantities was so trifling, amounting only to 8 annas per head each month that the Board sanctioned its abolition.

The tax on fisheries which to-day forms a considerable item in the revenues of the province occupied the attention of both Maingy and Blundell. Originally, the various modes of fishing in the province were taxed according to their general productiveness, but Blundell found that the amount thus collected remained fairly constant and so in 1834, he made a seven year settlement with individuals in Tavoy where "owing to the absence of trade, internal and external, and the fixed habits of the people" the industry was greatly stimulated ; a long settlement therefore would prove more practicable and would relieve the population from annual
(1)
investigations.

At Mergui however, the amount of fishing varied

(1) Sel. Corr. Tenasserim. p. 184.

considerably owing to the frequent visits of the Malays who carried on fishing for a year or two at a time. The taxes levied on nets and stakes depended on the size of the net or stake and varied from Rs 3 to Rs 10 per month, while every person who was engaged in the manufacture of ballachoung paid Rs 13 for the season. In 1839, the total amount of revenue derived from ballachoung and fisheries amounted to Rs 16,823,⁽¹⁾ as compared with the Rs 12,754 in 1836.

Although the licences for gambling houses had been abolished, the opium and anach farms were still maintained during Blundell's administration, and were disposed of by public auction for six months at a time.⁽²⁾ At Tavoy and Mergui the Birds' Nest farms were principally in the hands of the Chinese. A settlement had been made at Tavoy for five years at the rate of Rs 12,000 per annum payable in three instalments : but at Mergui, the nests were less abundant and only brought in Rs 2,000 per annum.⁽³⁾

The most disputed source of revenue between Blundell and the Sudder Board however, was that of

(1) See Appendix II

(2) Sel. Corr. Tenasserim p. 187. To Sudder Board from Blundell dated 9th Dec. 1839.

(3) Idem.

the Bazaar tax. The growth of population around the cantonments at Moulmein and the influx of vendors to supply the wants of the troops at Mergui and Tavoy had given rise to the building of bazaars which Blundell described as "public buildings erected at the public expense in the several towns for the purpose of affording shelter to those engaged in the sale of the daily common necessities of life and from whom a daily tax is levied."⁽¹⁾

When two strong European Regiments had been maintained at Moulmein, they had caused the circulation of so much money in the bazaar that, the daily tax on stalls was increased but since one Regiment had been withdrawn, Blundell had reduced the rates. The rates were levied on the size and situation of the several stalls and, on the description and of goods sold in them/at Moulmein had varied from a few stalls at 12 as. a day to a number of petty vendors at 1/3 anna a day. They had since been reduced to rates ranging, from 8 as, to 1/6 of an anna a day. At Tavoy, the rates varied from 2 as to 1/3 of an anna a day and at Mergui from 2½ as to 1/3 of an anna a day.

(1) Sel. Corr. Tenasserim p 194. To Sudder Board from Blundell, dated 10th October 1840.

In explaining the necessity for maintaining the bazaar tax which in 1839 had brought in Rs 23,685⁽¹⁾ as compared with the Rs 5,423 of 1833, Blundell wrote :- "This tax has long formed a considerable item in the Revenue of the Provinces and is one which, though perhaps objectionable in principle, is not, I think, injurious in its operation nor would I recommend its reduction so far as to yield only sufficient to keep the bazaars in repair. So large and immediate a reduction would have no good effect. It will not attract more vendors to the bazaars as the present rates have not repulsed any, the bazaar especially in this place being daily crowded, but I shall consider that I am authorized to reduce any rate of this tax that in the course of my enquiries on the subject, at the several stations, may appear to me to press hard or unfairly (when compared with others) on any one class of vendors."⁽²⁾ The Sudder Board was strongly opposed to the tax, and combated the Commissioner's arguments as follows :- "The Commissioner's remarks that the tax though perhaps objectionable in principle

(1) See Appendix III

(2) Sel. Corr. Tenasserim. p. 195. To Sudder Board from Blundell dated 10th Oct. 1840.

is not injurious in its operation, but it appears to the Board that the objection to it on principle can be no other than that its operation is necessarily injurious." They also believed that these petty taxes tended to make vendors increase the price of the articles sold, and this checked both the produce and consumption, and that all such taxes were particularly objectionable in a thinly peopled country where encouragement to emigration and agriculture should be the principal object of pursuit.⁽¹⁾

Fortunately however, the Government of Bengal was able to settle the dispute in the following words : "The Right Honourable the Governor of Bengal is of opinion that there is no objection to a bazaar rent but there are great objections to a bazaar tax. The present cess is partly rent, and partly tax, but much more the latter than the former, since it varies not with the eligibility of the shop, but with the nature of the trade. It is the Governor's opinion that this objectionable character should be removed by making the payments vary with the eligibility of the shops without any reference at all to the nature of the trade

(1) Bengal Rev. Cons. 1st Dec. 1840. No. 32. para 2. To Govt. of Bengal from Sudder Board dated 10th Nov. 1840.

carried on in them." (1) In Burma to-day the revenue derived from the auction of stalls in the municipal bazaars is regarded as rent, and not as (2) a tax.

The Revenue establishment maintained by Blundell in addition to the Commissioner and his assistants consisted of the head native revenue official known as the akunwun to whom the thugyis of villages rendered accounts of "the extent of cultivation, number of people employed on the various (3) articles of revenue," and other revenue matters, and the thugyis who were never allowed to have large sums in their possession but paid into the treasury through the akunwun, the instalments of revenue they received from the people on grain, garden produce, fisheries and salt; these taxes were usually collected in places where the articles were produced. In 1839, Blundell reported that the thugyis were still receiving 10% on the amount of their collections, and that their salaries varied from Rs 600 to Rs 50 per (4) annum, while the headmen who received thugyi-sa

(1) Ibid. 1st Dec. 1840. No. 34. Para 5.

(2) Grant Brown, "Burma as I saw it" pp 205-10 Note B. "Market Rents".

(3) Sel Corr. Tenasserim p. 187.

(4) Idem.

got in some cases, about Rs 12 per annum and in others
(1)
more. In glancing at the figures for the revenue establishment in Tenasserim in 1839, we find a decrease of over Rs 1000 in its cost from that of 1833 which had amounted to Rs 17,150, a fact undoubtedly due to the frequent injunctions for economy issued by the Government of Bengal.

C. BLUNDELL'S JUDICIAL AND POLICE MEASURES. 1834-43.

In considering Blundell's judicial and police innovations the researcher is mainly concerned with his attempt to organise a Talaing corps to aid the regulars in frontier defence as well as to help the police of the province to maintain the peace, with his measures for the regulation of convict labour and the construction of jails and with his suggestions of extending the judicial work of his assistants and the native officials in Tenasserim. In addition to these were his strenuous efforts to prevent the introduction of pleaders into the law courts of Tenasserim, efforts which the mercantile community finally defeated, and

(1) Bengal Rev. Cons. 19th Sept. 1842. No. 64.
Letter from Blundell to Board, dated 1st June.

his attempts to preserve Burmese customary law and practice against the legal system of Bengal. During his administration the number of jail deliveries was increased from two to four and the experiment of a jury trial was continued.

As the detection and punishment of crime took up a large portion of the time of Blundell and his establishments, it would be well first to consider his measures in this respect.

In his correspondence with the Military Department of the Government of India, Blundell pointed out that the system of police in force throughout India was not applicable to Tenasserim.⁽¹⁾ There were no tannahs or chokies with darogahs and burkundazes in Tenasserim. The provincial police consisted of goungeys and thugyis and headmen who were responsible for the peace of their districts and villages. Only in the towns was there anything resembling a police force; men were hired to patrol the streets at nights and these men were appointed and paid by the people themselves, a certain assessment being fixed on each house for the purpose; during the day however, these men were not on duty, and the police work of towns was

(1) Sel. Corr. p. 167. Letter dated 17th Oct. 1837.

then largely performed by jail peons. A European official, Captain Rawlinson now superintended the police in Moulmein as the Master Attendant was too busy with his work as Port Officer. Blundell therefore pointed out that a corps of Talaings would be useful more from a political and military point of view than for purposes of internal police. (1) By 1839, after much effort, the corps was raised to the requisite strength under the command of Major Williams and his adjutant Lieutenant Smith and it even performed drills with H.M. 63rd Regiment then doing duty at Moulmein. (2) Owing to the constantly increasing price of labour in the place however - a workman could earn Re $\frac{1}{2}$ a day - the Talaings had to be paid Rs $10\frac{1}{2}$ per month which was less by Rs $3\frac{1}{2}$ than the allowance of the regular sepoy serving in Tenasserim and the total expenses of 200 privates amounted to Rs 3918. The Corps however did not prove a success, and was finally reduced.

In a letter to the Government of Bengal dated 1835, the Court of Directors had expressed their great

p 168
(1) Sel. Corr. Tenasserim. / To Govt. of India, Military Dept. from Blundell dated 17th Oct. 1837.

(2) Ibid. p. 178. To Govt. of India. Military Dept. dated 20th Feb. 1839.

(3) Ibid. p. 119. Figured statement for Talaing Corps.

(1)
approbation of Maingy's judicial arrangements. The laws he had followed in criminal matters were the Bengal Regulations while the civil laws consisted of Burmese laws with such modifications as were considered necessary. They also stated that although the initiatory fees and the fees for subpoena were not large and were not levied on impoverished peons, they disapproved of the principle of all such taxes and were only "disposed to countenance them when they [were] sanctioned by long custom or where they [were] essentially important as a source of public revenue." They were less opposed to the duty of ten per cent paid by the losing party. As early as 1835 the judges of the Sudder Dewanny and Nizamat Adawluts began to complain of the scanty nature of the Commissioner's reports, (2) and of the summary proceedings to which undoubtedly they were unaccustomed in Bengal. Blundell in explaining the reason for this stated that in Tenasserim the records of petty civil and criminal cases had never been fully kept because of the sparseness of population and the

(1) Sel. Corr. p. 249. para 14.

(2) Sel. Corr. p. 138. para 2.

small value attached to land; few families possessed much property and therefore few interests were ever dependent upon the decisions of the courts.⁽¹⁾ The proceedings were conducted viva voce, no pleadings were allowed and an abstract of plaint, defence and evidence was then recorded, together with the decision passed. He then went on to deprecate the introduction in Tenasserim of a closer analogy to the system of the courts in Bengal. "By causing delay and the introduction of peculiar forms adapted to a higher and more refined state of society", he wrote, "it would be likely to prove extremely unpalatable to a people accustomed under their former rule to an expeditious and unencumbered though certainly corrupt administration of justice, and since they have been under us to an equally expeditious, though upright and impartial settlement of their mostly unimportant suits."⁽²⁾

The judges were further at a loss to understand the strange and unusual decisions passed in accordance with Burmese custom; for instance offenders were often

(1) Idem. para 3.

(2) Idem. para 3.

sentenced to the stocks for an hour, their faces blackened and labels stating the nature of their offences pasted on their foreheads. Such strange and unusual decisions were opposed to the adoption of a uniform code of civil procedure, while all forms of corporal punishment were to be abolished.⁽¹⁾ Blundell tried to explain that the rattan had proved much more effective against the commission of petty crimes than had imprisonment and if it were to be abolished a treadmill might prove a useful substitute,⁽²⁾ but his explanations were set aside.

Up to about 1837, all three districts in Tenasserim were constantly reported as being free from crimes of magnitude.⁽³⁾ The "stationary nature" of Mergui and Tavoy wrote Blundell, accounted for this, for they possessed little trade and were not subject to constant immigration like Moulmein. In the district around Amherst however, owing to disturbances in the Burmese Central Government river dacoits from the Burmese side of the river were numerous, and the number of burglaries and thefts also multiplied with the "constant influx of strangers from all parts of India." Very few of the crimes

(1) Sel. Corr. p 139. para 6. To the Sudder Courts from Blundell, dated 18th May 1835.

(2) Idem.

(3) Sel. Corr. Tenasserim, p. 161. To Judicial Dept. Bengal from Blundell dated 1st March 1837.

reported were committed in villages⁽¹⁾ but in the towns, petty breaches of the peace by "drunken disorderly people" were becoming frequent. The increase of crime, exhibited by the returns however, Blundell stated was more apparent than real, owing to the fact that the district and village officials were apt to confuse the numerous petty thefts common in Tenasserim with more serious burglaries.⁽²⁾ The frail nature of bamboo huts made theft extremely easy for often all a thief had to do was to make a slit in the matting of a wall and slip his hand, or body in, to take what he wanted. Petty cases of stealing therefore, were often reported to the assistants or to the giong-gyouks as serious losses, while it was not an uncommon practice for a villager to request police aid for the recovery of money or goods which had unaccountably disappeared from his house or possession and which, without doubt some member of his family had either taken or squandered.

Nevertheless, it was difficult to secure the arrest of offenders when the proximity of Burmese territory on the opposite bank of the Salween afforded them refuge

(1) Idem.

(2) Sel. Corr. Tenasserim. p. 166. To Rev. and Jud. Dept. Bengal from Blundell dated 14th Aug. 1837.

from British justice. Although gang robbery had considerably declined by 1837, owing to the strengthening of the frontier forces, British police officials found it extremely difficult to arrest burglars or escaped convicts who fled into Burmese territory with goods to the value of Rs 3000 or Rs 4000 while not infrequently such goods stolen in Tenasserim, were offered as presents to officials of the Burmese Government. (1)

During the second half of 1838, there was a large addition to the Madras troops in the district of Amherst, (2) and owing to friction with the Burmese authorities at Martaban, much attention was devoted towards strengthening the police of Moulmein. Major Williams, of the Madras army, succeeded Captain Rawlinson as the head of the police of the town of Moulmein, Macfarquhar was still assistant at Tavoy, and appears to have been the head of the police there supervising the work of the giong-gyouks while at Mergui, Corbin had taken the place of Captain MacLeod who, in July 1838, had been appointed assistant to Lieutenant-Colonel Burney, resident at Ava.

(1) Sel. Corr. Tenasserim. p. 176. To Govt of Bengal from Blundell dated 4th Oct. 1838.

(2) Idem. p. 177.

During 1838 and 1839, serious crimes were not frequent, but thefts and burglaries had greatly multiplied at Moulmein. (1) With the influx of the numerous followers who had accompanied the Madras troops, (2) the number of petty vendors in the bazaars, (3) and of labourers and artizans had greatly increased; life was becoming more complex, and Blundell stated that an increase in his judicial establishments was (4) urgently necessary. The language of the Indian immigrants was unknown to the magistrates and native officials in Tenasserim, and the latter were therefore unable to deal with the petty offences which were constantly arising. (5)

On the other hand, at Tavoy and Mergui and in the country districts generally there was a decrease in crime, a state of affairs which Blundell considered reflected great credit on the work of his subordinates

(1) Sel. Corr. Tenasserim. pp 179-180. To Govt. of Bengal, Judicial Dept. from Blundell, dated 12th August 1839.

(2) Ibid. p. 188.

(3) Precis of Letters, Tenasserim. p 93. No. 102.

(4) Bengal Crim. Jud. Cons. 13th April 1841. No. 20.

(5) Sel. Corr. p. 196. To Govt. of Bengal from Blundell dated 8th March 1841

though his successor Broadfoot scathingly attributed it to the negligence and corruption of local officials, as well as of the assistant, Corbin at Mergui.

Connected up with the administration of civil and criminal justice, was the important question of enforcing discipline among the numerous convicts who were sent to the jails at Moulmein, Tavoy and Mergui. Maingy had begun the practice of requesting the Government of Bengal to despatch convicts to Tenasserim for the construction of public buildings and roads, because it was almost impossible to obtain native labour except at exorbitant rates. Blundell continued the practice, and from December 1834 onwards, at least 100 convicts, many of them (1) thugs were sent to the provinces each year. In October 1836, Sir Edward Ryan the Lord Chief Justice at Calcutta visited Tenasserim and put forward certain suggestions about prison management, (2) but in this respect, as in many others, Blundell was handi-

(1) Bengal Crim. Jud. Cons. 28th March 1835. No. 63
The Commr. reports the arrival of 100 convicts.

Also Ibid 7th March, No. 39. 162 thug convicts sent to Amherst.

Ibid 7th Sept. 1841. No. 32.

(2) Bengal Crim. Jud. Cons. 9th May 1837. No. 23.
To Govt. of Bengal from Blundell dated 4th March 1837.

capped by restricted expenditure. His frequent re- (1)
quests for the recreation of new jails were refused;
he wished to form the jail guards into a burkundaze
corps under the supervision of a European official, but
was prohibited from doing so, especially as his experi-
ment in raising an efficient Talaing corps was not
proving successful. Moreover, so minute was the con-
trol exercised by the Judicial Department of Bengal
and the Sudder Courts over his arrangements that, the
convicts had to be enumerated by name and described
in detail in his half yearly reports. In order to
meet the expenses of jail repairs and the cost of
guards and peons therefore, Blundell hit upon the
scheme of hiring the convicts out to private indi-
viduals, either for daily labour or domestic service.
Their movements were supervised by peons or by well-
behaved members of their own class, but although the
system of hire proved remunerative, instances of
escape became common after 1840, and in January 1843,
Blundell reported that he had been obliged to dis-
continue the practice of hiring out convicts to private

(1) Idem.

(2) Bengal Crim. Jud. Cons. 9th August 1836. No. 30
To. Commr. from Govt of Bengal.

individuals. (1) Unfortunately, as in Arakan during this period, escapes from the jails were also common. In October 1840, the commissioner reported that from 1836-40 77 escaped convicts from the jails in the province had not been re-arrested: many of them had died in the jungle, and fourteen of them had been enslaved by the Siamese headman of Ramboori, but after 1840, (2) the escapes were less frequent, and the Government of Bengal even began to consider the establishment of a penal settlement on some of the islands of the Mergui Archipelago, (3) though the idea appears later to have been abandoned.

D. BLUNDELL'S MEASURES TOWARDS THE PROMOTION OF THE TRADE AND EDUCATION, AND THE DEVELOPMENT OF THE RESOURCES OF TENASSERIM.

Right from the beginning of his administration, Blundell set to work to open up trading relations with the Siamese Shan States of Laboung and Chiengmai and with China. During 1834, he deputed Dr. Richardson,

(1) Bengal Civil Jud. Proceedings 21st Feb. 1843. No. 143.

(2) Precis of Letters, Tenasserim. p 75. No. 162. To Govt. of Bengal from Blundell, dated 21st Oct. 1840

(3) Bengal Crim. Jud. Cons. 5th June 1843. No. 61. To. Commr. from Govt of Bengal.

Civil Surgeon of Moulmein as Maingy had done, on a mission to the Shan States for the express purpose of inducing the Shan traders to visit Moulmein in order to supply the troops in the Amherst district with the cattle they sorely needed, while Richardson was also instructed to persuade the caravans of Chinese traders who visited the Shan States to extend their journeys

(1)
to Moulmein. In this respect, Blundell did much towards opening up new marts for British commerce, and towards bringing many of the wild border tribes into contact with British civilization. In reporting the result of Richardson's mission to the Revenue and Judicial departments of Bengal in 1835, (2) he stated that it had been a great success. Richardson had extended and strengthened the friendly feeling that the frontier tribes had had towards the British, he had also ensured the supply of large quantities of cattle for the troops at reduced rates, he had succeeded in obtaining a promise from the Chinese traders to visit Moulmein, and

(1) The Chinese traders brought to the Shan States copper and iron vessels, silk (raw and manufactured) satins, gold and silver thread and lace, musk walnuts, carpets and vermillion. They took away from the States, cotton, ivory, skins and horns.

(2) Bengal Rev. Cons. 22nd Sept. 1835. Nos. 1 and 2.

had also opened up communications with the wild tribes of Red Karens who lived on the banks of the Salween to the north of British territory. Blundell suggested that future missions to China and Siam from Tenasserim might be linked up with the deputation which was being sent to the frontiers of China from Assam to report on the tea cultivation there. The friendship of the Red Karens proved invaluable, for through their country lay the gateway into the Shan States tributary to Ava, the inhabitants of which had hitherto been prevented by the Burmese authorities from opening up commercial relations with the British. The Government of Bengal was so pleased with the results of Richardson's mission that they readily sanctioned the expenses for it, and gave Richardson the interpreter he needed. Unfortunately, the following year, the Chinese traders were prevented from visiting Moulmein by heavy floods, so Blundell on his own initiative in December 1836 deputed his junior assistant Captain MacLeod to the frontier provinces of China while Dr. Richardson was again sent on another mission

(1) Idem. No. 2. para 4.

(1)
this time, to the Shan States tributary to Ava.
Both officers were given strict instructions to
avoid all political subjects and confine themselves
solely to the objects of opening up trade. Although
the missions were expensive costing about Rs 3000
each, (2) Blundell explained that they could not have
been undertaken had the sanction of Government been
waited for, and although MacLeod's mission was not
as successful as Blundell had hoped it would be, both
officers did much towards opening up intercourse with
peoples hitherto unknown, and in exploring the
strange parts around Moulmein, and so the Supreme
Government readily confirmed the expenditure. The
detailed reports compiled by Mac Leod and Richardson
(3) were forwarded to Bengal, together with valuable
maps of the intervening country between Tenasserim and
the Shan States, and the question of communications
from Moulmein northwards, began to be considered. Un-
fortunately, Blundell did not make the best use of his
opportunities in this respect, and at the end of 1843,

(1) Bengal Rev. Cons. 24th Jan. 1837. No. 68. To Govt.
of Bengal from Blundell, dated 17th Dec. 1836.

(2) Idem. para 6.

(3) Ibid. 21st Nov. 1837. No. 65. To Govt. of Bengal
from Blundell dated 30th May 1837. Report of MacLeod's
mission.

in spite of a suggestion from Bengal, a road north-
~~east~~wards from Moulmein to the Siamese states was
not constructed. Anyway, Blundell had laid the
foundations for future British trade with Siam, the
Shan States and China, and exports and imports after
this date rapidly increased while his efforts in
deputing missions on his own initiative are to be
congratulated. The wild tribes of Red Karens whom
Richardson visited and won over with kindness but
firmness were also persuaded to stop to some extent
their horrible system of capturing and enslaving the
frontier tribes, and the British frontier on the north
east began to be better known and more secure.

Linked with his measures for the increase of
the trade of the provinces were Blundell's measures for
the development of its resources. In March 1837,⁽¹⁾
Dr Helfer who had received a good scientific education
at several European Universities was appointed tem-
porary naturalist in the Tenasserim provinces on a
salary of Rs 500 per mensem to continue the work begun
by Wallich in 1827. He carried on his investigations
chiefly in the districts of Mergui and Tavoy because

(1) Bengal Rev. Cons. 24th June 1837. Nos. 43-6.

Richardson and MacLeod were exploring the parts around Amherst and Moulmein, and although his travelling expenses owing to the high price of labour and necessities ⁽¹⁾ amounted to about Rs 955 per annum the Government of India at the end of June 1838, sanctioned his services for another year because he was making interesting discoveries in tin and iron ore in Tavoy. ⁽²⁾
In November 1837, ⁽³⁾ and October 1838, ⁽⁴⁾ Helfer submitted detailed reports on the resources and productions of the provinces; these were printed and disseminated with the object of attracting the attention of European capitalists in England and so interested were the Court of Directors in his enquiries that, he was retained in his post till January 1840, when he was unfortunately murdered while on a visit to the Andaman Islands.

On 13th January 1841, Captain Tremenhare was appointed Helfer's successor and he was particularly instructed to investigate the extent and nature of the

(1) Ibid, 5th Feb. 1839. No. 100. Orders of the Govt. of India dated 31st Dec. 1838.

(2) Bengal Rev. Cons. 26th June 1838, No. 111. To Blundell from Govt. of Bengal.

(3) Ibid. 28th Nov. 1839. Nos. 37-8.

(4) Ibid. 30th October 1838. No. 42. Report dated 10th October 1838. The Govt of Bengal ordered 100 copies of the above report to be printed by the Military Orphan Press at Calcutta.

(1)
teak forests. In February 1841, Blundell secured the appointment of Eremenheere as Conservator of Forests in Tenasserim under his immediate control, though ultimately all reports had to be submitted to the Military Board of the Government of India. (2)
On 2nd June of the same year, Captain O'Brien was deputed to examine the Shan teak forests and the forests along the Thoungyin river where several of the Burmese and Talaing wood-cutters had forced the unprotected Karen tribes to cut or sell wood to them at extremely reduced rates. As far as the material prosperity of the provinces was concerned, the attention devoted towards the management and preservation of the teak forests in Tenasserim was one of the outstanding developments during Blundell's period of office. The natural wealth of Tenasserim lay in its timber, and critics may be inclined to think that Blundell's measures did not go far enough; undoubtedly many important suggestions regarding the dues and export of timber were initiated by the Government of Bengal and not by the Commissioner, as for example, the enforcement of the payment of timber duty in money, and

(1) *Precis of Letters Tenasserim*. p. 93. No. 70.

(2) *Ibid.* p. 96. No.

(1)
not in kind, as had been the practice for several years,
but as far as I have been able to judge the sphere
in which Blundell was most successful was in his devel-
opment of the teak resources of Tenasserim. His ex-
periments in the planting of Pernambuco cotton were
not very successful and his attempt to promote a trade
in wood oil between Calcutta and Mergui failed. In
July 1841 he was ordered to stop the working of the
coal mines at Mergui because 620 tons sent to Singa-
pore was proving highly inflammable and was decomposing
(2)
through spontaneous ignition, and in December 1841,
the Government of Bengal stated that owing to the
same cause, a loss of Rs 57,203 had been incurred over
the coal mines at Mergui, although 1,080 tons of coal
valued at Rs 12 a ton had been obtained. In his first
report on the forests however, Captain Tremenheere
stated that between 12th April 1841 and 12th November
1841 as many as 9,079 trees had been brought down
from the principal forests, and he recommended that
a nursery should be established at Moulmein and the
expenses divided up among the licence-holders, while
the forest establishment of one giong and three peons

(1) Ibid, p. 97. No. 1011. To Blundell from Govt.
of Bengal dated 27th Oct. 1841.

(2) Precis of Letters, Tenasserim. p 96. No. 733.

would have to be augmented.⁽¹⁾ Towards the end of his commissionership, Blundell encountered much difficulty in preventing the capture of British rafts floating down the Salween by the Burmese who lived on the opposite shore; as early as 1834, a chain had been attached to a rocky island on the Burmese side of the river opposite Paingkla to prevent this. The Burmese however cut the chain in 1843 and Blundell sent Captain Mac Leod with a force of Talaings to replace it, a step which⁽²⁾ was disapproved by the Government of India. Several timber merchants in Moulmein had also complained of the exactions practised by Burmese officials on British traders on the Salween, many of the latter had been⁽³⁾ seized and forced to pay duty, and because of Burmese depredation and disputes with the Myowun of Martaban, Blundell's successor Broadfoot was obliged in June 1843 to suspend all timber trade between the Burmese and British merchants until the safety of the frontier had⁽⁴⁾ been secured. Finally Broadfoot was even forced to

(1) Precis of Letters, Tenasserim. p. 100. No. 84.

(2) Sel. Corr. Tenasserim pp. 208-10.

(3) Sel. Corr. p 261. No. 110.

(4) Sel. Corr. p. 214. Notification by Broadfoot dated Moulmein 18th June 1843.

write a letter to the Hluttaw of Ava on the whole matter.

The growth of trade, and the increase in the number of merchants however, which Blundell had done so much to foster, were the principal opposing forces to the old type of government established by Maingy. In 1841, certain merchants petitioned the Government of Bengal to make enquiries into the state of trade in Tenasserim because of the startling fact that for the last 14 years of British rule no merchant had engaged in trade without a loss, ⁽²⁾ In October 1841 a memorial signed by several European merchants and ignorant natives was addressed to Blundell; in it, the management of the teak forests ~~was~~ criticised, the institution of one fixed standard of weights and measures advocated, the need of a fixed code of civil law urged, and the necessity for attorneys, and the promulgation of orders by beat of gong in all the various languages of the bazaar requested. Blundell's reply to most of these requests was that, either he had not sufficient authority to comply with them or else, that his establishments being restricted, he had not the means to

(1) Sel. Corr. p. 215.

(2) Precis of Letters, Tenasserim. p. 95. To Lord Auckland from the Merchants and Agents of Calcutta.

(1)
promulgate laws as requested.

At the beginning of 1842 however, the Government of Bengal issued important instructions about legal procedure in Tenasserim and though Blundell strenuously (2) opposed them, his objections were set aside. In future, all suits were to be filed in the first instance before native judges, the plaint was to be written, the decision recorded, pleaders were to be allowed, and witnesses paid. Blundell opposed these innovations on the grounds that most of the cases were filed by Indians, while the judges were Burmans, that the record of plaint and issue would only increase expense, that the permission to pleaders would only raise up "a set of low adventurers seeking a livelihood by conducting cases on speculative terms"; they had never been allowed up to that date and there were no rules for their conduct - while the payment (3) of witnesses he considered expensive and unnecessary. In spite of all Blundell's objections however, the Bengal legal system was gradually extended to Tenasserim, trade increased litigation, and litigation was bound to bring in its train lawyers, and a new legal code.

(1) Sel. Corr. Tenasserim. pp 207-8. To Messrs. Hannay, Boothy & Co. Heavisides, Dennison, Clark and Wales from Blundell dated 14th Oct. 1841.

(2) Sel. Corr. Precis of Letters Tenasserim p. 100 No. 178

(3) Idem.

Although during Blundell's administration the Tenasserim provinces were less progressive than the province of Arakan as far as the development and efficiency of its administrative machinery were concerned, it received the benefits of education much earlier than Arakan. In 1828, as we have noticed ten years before the foundation of schools in Akyab and Ramree, Maingy had obtained a government grant of Rs 50 a month for a mixed day school at Tavoy run by the Reverend Mr. Boardman. In September 1834, at the beginning of his Commissionership, he opened a Government school at Moulmein, the pupils of which at first numbered 26 children. By April 1835 however, the attendance had risen to 104 including 16 girls, and the school rapidly grew in popularity owing to its non-interference in the religion of its children. (1) Unfortunately, the school opened by Maingy at Tavoy was given up by 1834, owing to the death of Boardman and the departure of his widow, now Mrs. Judson, but an elementary school (2) had been opened in 1835, by the assistant Mac Leod at Mergui, and on 17th October, Blundell in his Education Report to the General Committee of Public Instruction at Calcutta stated, that he had conducted the examinations in the schools

(1) Sel. Corr. Tenasserim. p. 137. para 5. To Govt. of Bengal from Blundell dated 11th April 1835.

(2) Idem. para 8.

and the scholars were making evident progress" especially in English, "thereby not only improving their knowledge of English but giving them the habit of writing their own language."⁽¹⁾

In 1836 purely as an experiment a printing press for the publication of Burmese and English newspapers had been setup by Blundell under the editorship of Hough, and so successful had been the result that, the nett income of the press in 1837, amounted to about Rs 150 per mensem.⁽²⁾ Blundell then suggested that the press which was attached to the school premises might be taken over by Government, a measure which was later carried out and from 1837 onwards, the educated inhabitants of Tenasserim were well supplied with news of local interest, and the first step had been taken towards the formation of public opinion.

(1) Precis of Letters, Tenasserim. p. 65. No. 119.

(2) Sel. Corr. Tenasserim. p. 173. To the General Committee of Public Instruction from Blundell dated 6th Dec. 1837.

In April 1843, Blundell was appointed Governor of Prince of Wales Island from which he had been transferred to Tenasserim, and Major George Broadfoot of the 34th regiment Madras Native Infantry, a soldier who had distinguished himself in the recent Afghan troubles on the north-west frontier of India,⁽¹⁾ was appointed his successor in Tenasserim.⁽²⁾ Broadfoot unfortunately had had no experience of Burmese conditions, and as all his previous training had been of a military character, he was unable to grasp at once the problems involved in the civil government of recently acquired territories thinly inhabited by people unaccustomed to the enforcement of law or order, or to the method and elaboration of ~~more~~ organised governments. Nevertheless, although much of his criticism was founded on ignorance of Burmese conditions and the necessity for conservative innovation during a transition period, he was right in attacking the slackness, lack of efficiency and scantiness of records which characterized the administration during the last few years of Blundell's commissionership. Maingy had left behind him the foundations of a simple, but fairly smooth working system, but it was essentially a system adapted to a simple state of society and to a small and chiefly rural population. Blundell's efforts to maintain

(1) Dictionary National Biography, s.v. Broadfoot.

(2) Precis of Letters. Tenasserim. p 79 No. 72.

this system in the teeth of developments consequent on the growth of trade and population, only resulted in slackness and corruption. He had wisely obtained the extension of judicial powers for his assistants and the native officials, but had failed to provide the checks or supervision necessary to prevent the abuse of such powers. Broadfoot complained of a lack of records in all the district offices in Tenasserim. "The Commissioner", he wrote, "though this was undoubtedly exaggerated, has no accounts, and keeps no records, except duplicates of the four annual statements of his assistants. He receives no reports and calls for no explanation or information unless the Board of Revenue should put any question to him, and even then the information necessary to answer it, is procured privately and not recorded."⁽¹⁾ Blundell refuted this charge by explaining that much of his knowledge was obtained from private correspondence or interviews with his assistants, and that although few records were kept, he was well acquainted with their proceedings,

Next, Broadfoot severely criticised the varied and ill-defined nature of many of the official native posts while definite lines of distinction between the revenue and judicial departments in the province were

(1) Sudder Board of Rev. Proceedings, 20th Oct. 1843. No. 49. Report by Broadfoot, dated 17th July 1843.

lacking. He was strongly opposed to the continuance of the revenue powers of the gOUNG-gyOuks and recommended that their revenue functions might be handed over to the native deputy collectors. ⁽¹⁾ This strict separation of functions however, has not been attained even to-day, for the modern township officer who we may look upon as the successor of the gOUNG-gyOUK, still possesses both revenue and judicial powers, like his superior, the subdivisional officer, and his subordinate the thugyi. ⁽²⁾ In this respect, the present administrative system of Burma still preserves the characteristics established by Maingy; all officials ranking from the Commissioner to the thugyi possess revenue, judicial and police powers, though the nature and extent of these powers are now regulated by strict rules and laws; in the interim also many other officials possessing only one or other function have been appointed to help them in each special branch of government. Of course in Blundell's day, as Broadfoot realised, the personnel of the administration was very much limited by lack of finance, while the usual travelling allowances to the Commissioner and his assistants were so inadequate that they were unable to visit the districts and villages frequently. ⁽³⁾ Communications were difficult, and cooley

(1) Idem. para 126.

(2) Grant Brown. "Burma as I saw it". p 73.

(3) Idem. para 126.

(1)
and boat hire expensive. Broadfoot also thought that the native officials were poorly paid and "their pay was so small as scarcely to be considered"; the akunwun receiving at this time only Rs 125 per mensem and the gOUNG gyOUks Rs 50 per mensem, facts which accounted for the exactions practised by these officials on the villagers who came flocking to Broadfoot with complaints, as was inevitably the case when one Commissioner succeeded another. Unfortunately, the Karens had suffered most, for they had been forced to work in the forests without remuneration, and were in a lawless state on Broadfoot's arrival.

Although corruption was a necessary corollary to a lack of records and strict supervision by the Commissioner it can be said that under British rule, the prevalence of it had greatly diminished and there was a much more wide-spread respect for native officials on the part of the Burmese and Talaing inhabitants than there ever had been. Thugyis and headmen as well as villagers were being imbued with a sense of responsibility, and although the state of the police and the suppression of crime were far from perfect, a sense of security was gradually being established; people were no longer afraid to live permanently in country districts

(1) Cooley hire was 8 as a day in Amherst, 6 as in Tavoy and 4 as in Mergui.

2 while population, trade and cultivation had considerably increased. In August 1842 the Marine Board at Calcutta reported a great increase of shipping at Moulmein, the number of vessels piloted during the eleven months prior to August amounting to as many as 344. (1)

As Blundell pointed out however, it was in the land revenue sphere especially, that Blundell had made little progress. He was not wholly to be blamed for the failure of the seven year settlement, but he was seriously at fault for not having by 1843 introduced in all districts a uniform land measure, a step which Walters had begun in Arakan, even before a regular survey had been sanctioned. Broadfoot was informed that Blundell had attempted to introduce an acre measurement - though he did not believe it to be the English acre - in Amherst, but that his assistant Dela Condamine had subsequently been obliged to give it up, and to revert to the old system of a crop assessment. At the same time, Blundell had not even properly developed the ryotwari settlement in Tenasserim. Cultivators were not furnished with documents exhibiting the amount of land they possessed and the amount due to Government as was the practice in Arakan; there could not therefore be any definite guarantee against extortion, and it was unfortunate that, although Ten-

(1) Precis of Letters. Tenasserim. p 100 No. 542.

asserim had originally led the way in the establishment of a good land revenue system, it should now have fallen far behind Arakan in the development of that system. Circle thugyis thus still bullied their headmen and the agricultural classes, while the headmen still remained a suppressed class. The latter ^{problem} however, is one which more experienced administrators than Blundell have not yet wholly solved, and the amalgamation or (1) subdivision of village tracts has gone on for years.

^ All critics of Blundell's failures or achievements should bear in mind however, ^{that} he was not a free agent in either his land revenue or judicial measures. The Sudder Board of Revenue ~~was~~ able to oppose with great success Broadfoot's condemnatory statements on the administration of Tenasserim between 1834-43. They believed that irregularities and corruption had undoubtedly crept into the administration, and that Blundell's land revenue arrangements were unprogressive and lacked originality, but they were opposed to an abolition of taxes indigenous to ^{the} country, and an unnecessary multiplicity of records, while no better proof can be given of their belief that Blundell's measures had not been utterly useless than the following words. "Kept

as you describe these accounts to have been without any fiscal demand, without any ascertainment of receipts, without any check on the so-called remissions, the wonder is not the Board observe that abuses great and flagrant have crept in, but that so much money should have found its way to the Public Treasury."

Blundell indeed had proved a poor successor to Maingy, and his achievements will not bear comparison with such administrators as Henry Lawrence⁽¹⁾ in the Punjab or Sir Charles Napier in Sindh. His administration was not characterized by either prestige or originality; and as he did not have a well trained staff at his disposal, with which to open up communications and institute public works, material progress was slow. The population was still insufficient for the size of the provinces, and its rich resources remained comparatively undeveloped. Yet, a stride had been taken in the direction of prosperity : indigenous institutions of self government had been preserved and developed, the importance of Moulmein as a trading port was rapidly increasing, although Mergui and Tavoy unfortunately did not progress as rapidly because communications and commerce with Siam during this period were non-existent. The first steps had been taken to-

Gibbon. The Lawrences of the Punjab.

wards the development of commerce in the only direction possible as far as the interior was concerned, that is with the Shan States and the frontier provinces of China, while even if much remained undone and much was still inefficient and corrupt, a beginning had been made towards helping native officials "to rise in the estimation of themselves and others, and to discharge their duties with confidence."

CHAPTER VI.

PROGRESS IN ARAKAN UNDER DICKINSON, BOGLE AND PHAYRE. 1834-43.

A. THE COMMISSIONERSHIP OF DICKINSON. 1834-37.

When Dickinson was appointed Commissioner of Arakan it was hoped that as he had done good work as assistant in Ramree and Akyab, his former experience would enable him to introduce measures conducive to the prosperity and good government of the province. These hopes were not altogether realised. When left a free hand, Dickinson was able to introduce a more productive scheme for the land revenue and taxation of Arakan than the inefficient methods instituted by Hunter and Paton, and with the help of the Sudder Board of Revenue, he was able to lay the foundations for the work of his successor Bogle, but unfortunately, he was able to do nothing to improve the police and judicial administration of the province, and the prevalence of crime was as big a problem at the end of his tenure of office, as it had been at the beginning. Although at the time of Dickinson's dismissal, in 1837, many of the unproductive petty taxes in the province had been abolished, the future prosperity of the province was not assured; there were many faults in the administrative machinery. Coordination between the work of the commissioner

and his assistants was the crying need of the moment, while, although an attempt had been made to provide for a police system which should, to a large extent, be independent of the revenue authorities, the police of the province was still insufficient for safeguarding the frontier against the incursions of the hill tribes and dacoits. The institution of a really sound system of police was to be the work of Dickinson's successor, Bogle, who, with his brilliant assistant Phayre, were the first two outstanding administrators in Arakan.

First and foremost, Dickinson directed his attention towards reforming the scheme of taxation in Arakan and towards establishing a uniform system of land assessment which, hitherto, had depended as we have previously noticed, on local circumstances and the ideas of the assistant in charge of each district. In March 1835, therefore at his request, the Government of Bengal deputed Chill, sub-assistant Revenue Surveyor at the Presidency, to Arakan with a party of 46 natives to undertake a survey of the province. (1) Unfortunately however, the unhealthy nature of the climate of the province during the month of April caused most of the party to contract malaria, and the whole scheme had to be abandoned, the surveyors returning

(1) Bengal Rev. Cons. 7th March 1835. No. 100. Instructions to Chill.

(1)
to the Presidency in May. Thus the very first attempt to survey the province had failed chiefly because a most unfavourable season of the year had been selected, while the Tenasserim provinces which had earned a reputation for their salubrity as early as 1825, and for which Maingy had continually advocated a survey, remained unsurveyed till after 1843, when Major Broadfoot introduced his acre assessment. For the time being therefore, Dickinson was obliged to leave the rates on land as they were at the last settlement made by Walters who had with the aid of certain natives of Chittagong introduced the Chittagong "doon" as a land measure in certain districts, the only difference being that the four kists of the year were to be paid in future in the new "Company's rupee", and not in Sicca rupees as formerly, the exchange according to Act XVII of 1835 being at the rate of Rs 106. 10. 8p company's
(2)
rupees for 100 sicca rupees, while the Government of Bengal undertook measures for keeping the province supplied with a sufficiency of the new coin. From 1832-5 there had been a steady increase in the land revenue of the province which had risen from Rs 452,554 in 1832-33⁽³⁾ to Rs 488,279

(1) Bengal Rev. Cons. 2nd June 1835. Report by Dickinson, dated 6th May 1835.

(2) Bengal Rev. Cons. 10th May 1836, No. 43. Letter to Govt. of Bengal from Sudder Board.

(3) Pemberton, Report, Table 2.

(1)
in 1833-34, while, although the exact figures are not available for 1834-35, it is evident that there was a further increase in that year, for when the land revenue suddenly dropped in 1835-36, the Sudder Board of Revenue referred to the prosperity of the former year, and lamented the decrease. (2) Dickinson attributed this decrease chiefly to the falling off in the rice cultivation owing to the lowered prices and large supplies in store from the former year, as well as to the very heavy and extensive losses of cattle reported by his assistants, but the rice trade of Arakan showed every sign of improvement, for that very year, several vessels trading to Madras, New South Wales, and the Isle of France had visited Arakan, (3) and it was during this period that the province was beginning to earn the title of the "granary of Southern India." (4)

Being aware of the possibilities of improved agriculture in Arakan therefore, the Sudder Board of Revenue staunchly held on to the opinion that the chief source of future taxation in the province should be the land tax, and that the efforts of the Commissioner should

(1) Bengal Rev. Cons. 8th Nov. 1836. No. 63. para 3. Letter to Sudder Board from Govt of Bengal.

(2) Ibid, 11th July 1837. No. 95. To Govt of Bengal from Sudder Board dated 20th June 1837.

(3) Idem, para 4.

(4) Kaye, op. cit. p. 446.

be directed towards an enhancement of the existing rates on rice lands. Pemberton states that in 1835, the total area of cultivated land in Arakan was about 133rd part of the area of the whole province, and that of this cultivated land 115.85 square miles consisted of rice lands, and (1) 7.52 square miles of miscellaneous cultivation, probably cotton, sugar and tobacco fields. The Board therefore advocated the increase of cultivation in every possible way: it believed in encouraging the influx of settlers (2) from Bengal, Chittagong and all adjoining territory; it disapproved of the measures adopted by Captain White, the assistant of Sandoway, who had rejected all applications for waste lands by new settlers on the plea that (3) the latter tended to throw up cultivation after one season. They impressed on Dickinson the necessity, so often urged by the Court of Directors in England, of raising up in the province, "a respectable middle class of persons, by establishing and recognising in them certain vested rights (4) in the soil." The Governor-of-Bengal Council who exercised a strict supervision over the communications of the Board with the Commissioner of Arakan approved of these

(1) Pemberton, Report, p. 86. paras 8-9.

(2) Bengal Rev. Cons. 11th July 1837. No. 95. para 13 To Govt. of Bengal from Sudder Board, dated 20th June 1837.

(3) Idem.

(4) Ibid, 26th April 1836, No. 9. To Dickinson from Govt. of Bengal.

suggestions, and ordered that rules for the grant of waste lands in Assam might also be applied to Arakan, but at the same time, taking into consideration the objections voiced by White in Sandoway they were strongly of the opinion that great care should be taken towards preventing (1) cultivators from throwing up old and cultivating new lands. Much correspondence and time was expended on this subject, for in a newly settled and scantily peopled province like Arakan, administrators were confronted with problems which did not occur in many of the older acquisitions of the Company. It is interesting to note that the Governor-General in Council was able to act as a mediating influence between the views of the commissioner and his assistants, on the one hand, and the preconceived, though often beneficial measures advocated by the Sudder Board on the other, while the latter had to admit on several occasions its lamentable ignorance of Arakanese conditions and institutions and frequently suggested that a special member of the Board might from time to time visit both Arakan and Tenasserim, and gain the requisite knowledge by personal inspection.

The Board however agreed with Dickinson that no productive scheme of taxation could be drawn up for Arakan, until the numerous petty taxes which had been tolerated for such a long time were abolished, and a more equitable system

(1) Ibid, 11th July 1837. No. 115. To Sudder Board from Govt of Bengal.

of taxing artizans and petty traders introduced. Dickinson explained that the difficulties in the way of achieving the above objects were great; there was no regular division of labour in Arakan, and except for those who were engaged in cultivation for a permanent period, and the more influential merchants and shopkeepers, a Magh was inclined to be "everything by turns."⁽¹⁾ A proper system of licensing with penalties for defaulters could not therefore be introduced, when a man who was a blacksmith one week, became a pedlar or a boat builder the next, and this want of stability in society, only enhanced the difficulties of revenue officials who, were obliged constantly to adjust the taxes on different individuals, while the frequent complaints and grievances of those who were dissatisfied, tended to reduce the sums⁽²⁾ collected under this head to an almost trifling amount. The 100 petty taxes of the province classified under the three heads of first, taxes on commerce and professions, second, taxes on fisheries, and third, taxes of a miscellaneous nature, had never yielded in one year more than the sum of Sicca Rs 16525, while the receipts from them for the years 1833-34 did not exceed Rs 14,040.⁽³⁾ Dickinson suggested that probably the best solution of the problem would be to abolish many of the petty taxes and to increase

(1) Bengal Rev. Cons. 8th Nov. 1836. No. 63. para 3. To Sudder Board from Dickinson, dated 31st July 1835.

(2) Idem.

(3) Bengal Rev. Cons. 8th Nov. 1836. No. 63. para 2. To Sudder Board from Govt. of Bengal.

the capitation tax on bachelors from Rs 2 to Rs 3, especially as many likely immigrants had refrained from settling in Arakan owing to the multiplicity of these petty taxes. (1) The Sudder Board in reply however, strongly disapproved of increasing the tax on bachelors, for it regarded the capitation tax in Burma, as a "barbarous source" of revenue, with no just or reasonable basis, and in direct opposition to Dickinson's views, looked forward to the time when it might be abolished altogether. (2)

The capitation tax, in spite of the early objections of the Sudder Board, and recent revolts in Mergui and Tavoy, still remains to-day a feature of the taxation of the districts of Lower Burma, although administrators have pointed out that a small addition to the land revenue might easily take its place. (3) Maingy does not appear to have continued the tax in Tenasserim after the British conquest, except with regard to the Karens, and the family tax on the Salons of the Mergui Archipelago, nor did Blundell make any reference to a capitation tax on the Burmese and Talaing inhabitants of Tenasserim in his detailed

(1) Idem. To Board from Dickinson dated 31st July 1835.

(2) Idem. To Dickinson from Board.

(3) Grant-Brown, "Burma as I saw it". Note D p 229.

statements of the revenue of the Tenasserim provinces in
(1)
1837-8 and 1838-9. The capitation tax must have been
introduced into the Tenasserim provinces after 1843, for
I have been unable to find any reference to such a tax
in any of the revenue documents I have examined up to
that date.

The Governor of Bengal in the Revenue Department however
being convinced from the statements of the Sudder Board
and Dickinson of the discouragement to enterprize, and the
restrictions on labour caused by the above mentioned taxes
issued orders in November 1836 for the abolition of all
(2)
those which were harmful, and in February 1837, Dickinson
reported to the Board that, he had abolished all the petty
taxes throughout the province, and the chief taxes re-
maining in Arakan were the capitation tax, the tax on
(3)
land, and the tax on fisheries, While the petty ones
still existing were the taxes on boats and forest produce.
The capitation tax, much as it was disliked by the revenue
authorities of Bengal had to remain because it could not
be commuted until a correct survey of all the lands in the
province was undertaken. The Sudder Board however, in June

(1) Selected Correspondence, Tenasserim pp 181-8 To
Sudder Board from Blundell, dated 9th December 1839.

(2) Bengal Rev. Cons. 8th Nov. 1836. No. 63. To Sudder
Board from Govt. of Bengal.

(3) Sudder Board of Rev. Proceedings 28th March 1837. To
Board from Dickinson, dated 6th Feb. 1837.

1837, wrote to the Governor of Bengal requesting that in order to put an end to the fraud practised by kyouks and thugyis a regular survey of the lands in Arakan be immediately sanctioned on the same system as that conducted in Assam, where, a number of the natives and Bengali Youth were trained to do all the field work under the scientific guidance of a European official, and that an experiment in such a survey might first be made in the Island of (1) Cheduba; this request was not granted till 1840. At the same time, the Board expressed great satisfaction with the "revenue work of Dickinson and his assistants, who, always took great pains in the preparation of statistical returns and who expended much time and labour in collecting details for the land revenue assessments, while bearing in mind the difficulties in the way of collecting correct data in Arakan, the Board considered that the wonder lay in the fact, " not that the province yields so little in revenue but that the local authorities have hitherto been able (2) to make it pay so much."

The ~~Governor and Council~~^{Government} of Bengal however, ~~was~~ far from being satisfied with the work of Dickinson and his assistants in police and judicial matters. The superintendence of the Sudder Dewanny and Nizamat Adawlut courts

(1) Bengal Rev. Cons. 11th July 1837. No. 95 para 33.
To Govt. of Bengal from Sudder Board.

(2) Idem. para 33.

had brought to light the inefficiency of the police system of the province, and the discrepancies and inconsistencies of the judicial returns forwarded to Calcutta. A tremendous increase in dacoity had taken place in the northern circles of Akyab, especially along the banks of the Kuladin river, and although the attacks had been primarily the work of the predatory hill tribes of the north, who had not yet become reconciled to the British Government, many of them had been aided and abetted by ex-myothugyis of Arakan,⁽¹⁾ or by convicts who had managed to escape from the Akyab jail. So serious had the growth of crime become, that Dickinson was obliged to vest Captain Williams his junior assistant at Akyab, with powers of a Sessions Judge to try arrested criminals.⁽²⁾ Dickinson complained that the tannah establishments were not capable of dealing with the outrages committed by gangs of dacoits, who were often able to take possession of the tannah, seize its muskets, and set fire to the neighbouring villages,⁽³⁾ while at the beginning of 1835, an attack had even been made on the old town of Arakan. He considered that the remedy for this lay in strengthening the police of both Ramree and Akyab, and increasing the Arakan local battalion which, at the time, was insufficient to perform

(1) Bengal Criminal Judicial Cons. 16th Feb. 1836. No. 38
Report by Dickinson dated 26th Jan. 1836.

(2) Idem.

(3) Bengal Criminal Judicial Cons. 5th April 1835. No. 16
Report by Dickinson dated 11th March 1835.

the duties of the whole province. In this respect, the Tenasserim provinces had a decided advantage over Arakan for they were guarded by a strong military force at Moulmein their most vulnerable point, and although Burmese bandits from the opposite banks of the Salween still made occasional attacks, the immediate measures adopted by Maingy and Blundell of chasing the marauders back into their own territory and of reporting them to the wungyi at Rangoon, and even to the King of Ava, through Major Burney, had done much towards reducing the number of outrages committed in the interior of the provinces, while the mountainous and forested nature of the territory on the east made for security all along the Saimese frontier. Still, the heterogeneous character of the population of northern Arakan coupled with the fact that Arakan was a frontier province, did enhance the difficulties of police administration, and as the Governor of Bengal and the Sudder Nizam realized, the pressing need of the moment was an entire reform of the police system, with provision for a strong section of military police for the latter alone would be able to deal efficiently with the numerous dacoits who had invested the province ever since the days of Hunter and Paton. White, at Sandoway, constantly reported outrages committed by robber bands who entered the district from Burmese territory by way

of the An pass, and so dissatisfied was he with his communications with Dickinson that, he foolishly made an indent for arms direct to the military department of the Government of India, and in reply was strongly reprimanded for his irregular proceedings. (1) At the same time, it was feared that the chaotic state of affairs at Ava where the regency acting for the insane king Bagyidaw had been overthrown in 1837 by his brother the Tharawaddi prince who was hostile to the British, would act as a further incentive to crime in Arakan, and these fears were greatly increased when, in April 1837, Dickinson reported a serious rising in the jail at Akyab which resulted in the death of four prisoners, one burkundaze, (2) and the wounding of several other prisoners and burkundazes. The outbreak at the Akyab jail precipitated Dickinson's dismissal. Ever since his assumption of the Commissionership of Arakan, the Governor of Bengal and Council had expressed their growing dissatisfaction with the state of the police and the administration of justice in Arakan where the half yearly statements exhibited "the same almost complete impunity of heinous crime, and the same gross disproportion of convictions to acquittals in every district, except

(1) Bengal Crim. Jud. Cons. 21st March 1837. No. 32. To Dickinson from Mily. Dept. dated 13th March 1837.

(2) Bengal Crim. Jud. Cons. 29th April 1837. Report by Dickinson, dated 15th April 1837.

(1)
in Sandoway." The commissioner's reports had been considered too scanty, and his explanations of the difficulties of convicting persons charged with gang robbery because of the frequent charges brought by the Maghs against one another was only looked upon as further proof of the inefficiency of the police darogahs who had arrested the accused persons. Arakan was unfortunate once again in its chief administrator. In a letter of dismissal to Dickinson Lord Auckland stated that, even before the outbreak at the Akyab jail, he had come to the conclusion that he could not, in the interests of duty, allow the former to continue in his post of commissioner, as a review of the correspondence with Dickinson ever since 1834 showed that, "either from infirmity of temper, defective judgment, or some other cause" (2) Dickinson was unable to win the respect and obedience of his subordinates. "Constant differences and disputes, with frequent personal altercation and counter allegations" had been the result a state of affairs injurious both to the character of the Government of Arakan, and the well-being of its people. Dickinson unfortunately had proved himself incapable of managing the whole province, though he had done exceedingly

(1) Bengal Crim. Jud. Cons. 27th Dec. 1836. No. 37.
To Major Dickinson from Govt. of Bengal. para 3.

(2) Bengal Crim. Jud. Cons. 29th April 1837. No. 9.
To Dickinson from Govr. and Council dated 15th April.

good work as assistant at Ramree. His assistants appear to have resented his promotion to the rank of Commissioner and Captain White at Sandoway who had often proved so refractory, had been his chief opponent. The Governor of Bengal therefore, considered it wise to remove White also from Arakan, and the latter was sent orders of dismissal shortly after Dickinson received his in April 1837.⁽¹⁾

The following month, Captain Archibald Bogle senior assistant to Dickinson was appointed Commissioner on a salary of Rs 2000 per mensem,⁽²⁾ and for the first time, since its acquisition, Arakan was to have a capable as well as talented administrator. Bogle had, before his arrival in Arakan in 1830, been principal assistant to the Commissioner of Assam and had had charge of an extensive district in Assam:⁽³⁾ as noticed above, he had done good work in Sandoway, to which he had been transferred from Dickinson's office in 1830, and his previous training proved of great value in his new role. In July, he was given as his senior assistant, Ensign Arthur Phayre of the 7th Regiment, Native Infantry,⁽⁴⁾ a man who was destined to become the most famous

(1) Ibid, No. 12.

(2) Ibid, 16th May 1837, No 20. To Bogle from Govt of Bengal.

(3) India Register 1830.
Also Kaye, op. cit. p 446.

(4) Ibid, 6th July 1837. Nos 24-8 Correspondence relating to Phayre's appointment.

See also Dictionary National Biography s.v. Phayre. This account of Phayre contains many errors and makes no mention of his assistantship in Arakan 1837-43.

of all early British administrators, and whose brilliance and energy finally won for him the exalted post of Chief Commissioner of British Burma in 1862. Phayre's former experience of Burma had been confined to a short period in 1834 when he had served with the troops in Tenasserim, but his personal talent and originality, under Bogle's able guidance, swept away the evils which had prevailed in Arakan and raised both the prestige and prosperity of the province. "Within the space of a very few years", writes Kaye, "Arracan had acquired a new reputation. Men who had narrowly escaped with their lives from the influence of the destroying climate, or who remembered how their friends, one after one, had returned, gaunt scarecrows, from that deadly coast, after a few months, or perhaps a few weeks of absence, were startled when they read in the Calcutta papers that English gentlemen and ladies in the vice-regal city were making up pleasure parties to proceed by steam to Arracan, for the sake of the fine sea-breezes. Many went; and all returned strengthened and exhilarated. The province, under Bogle's management had lived down its bad reputation, and was actually growing into a fashionable sanatorium."⁽¹⁾

(1) Kaye, op. cit. p 445.

B. THE WORK OF BOGLE AND PHAYRE. 1837-43.

In considering the measures undertaken by Bogle and Phayre for the improvement of Arakan, the researcher is impressed with the strong natural sagacity and unwearied zeal with which the Commissioner and his senior assistants pursued their measures. Every step was a stride in the development of the resources of the province, and the well-being of its inhabitants; for the first time, the Commissioner of Arakan was able to control and coordinate effectively, the work of his assistants viz Williams at Ramree, Morton at Sandoway and Abbot at An which was now incorporated with the Ramree district, although its assistant, owing to the evil effects of the climate at An, held his headquarters at Kyaukpyu. An attempt was made to establish a uniform system of assessing land, and although it was not wholly successful, by 1843, Bogle had secured a surveyor for the greater part of the island of Cheduba and a part of the Akyab district, and had definitely convinced the Government of Bengal and the Sudder Board of Revenue that an individual ryotwari settlement was the only form of settlement suited to the state of society and agricultural conditions in Arakan. In future, there was to be no doubt as to whether a zamindari settlement might not be more successful, the province had not quite recovered from the evil effects

of the assessments and division of circles instituted by Hunter and Paton, but Bogle had no difficulty in proving to the Supreme Government, as Munroe had in (1) the ceded districts of the Madras Presidency that the ryotwari system was the only practicable and productive mode of taxing land in Arakan. Experience of conditions, and the smooth working of the ryotwari settlements in Tenasserim, had already given proof of this fact; the status and functions of thugyis as mere government officials in charge of the revenue of circles had been correctly grasped, though unfortunately the important question of the grouping of villages and the relations between thugyis and headmen still remained neglected. The solution of the latter problem was left for the later administrators and in spite of Sir Charles Crosthwaite's famous minute, still presents complications to revenue officials; the village administration of Burma has never ceased to be a topic of discussion in all important reports and reforms, for on it is based the whole structure of the Government of Burma. Although it has taken several years to establish in Arakan, what Maingy had established in Tenasserim, right from the beginning of his tenure of office, Arakan soon led the way

(1) Kaye. op. cit. pp 204 - 221.

for the Chittagong "doon" of 16 kanees, first introduced by Walters, was maintained, and instituted throughout the province. With the introduction of definite rates per "doon", a survey of lands, and strict rules for the grant of waste-lands, the future revenue of Arakan was subjected to a properly organized system, closely supervised by the Sudder Board of Revenue and the Governor of Bengal, ~~in Council~~. No room was left for the independent practices of assistants, and all the evils of over-assessment which White had so largely been responsible for in Sandoway, were checked. The administration of justice and police, unlike the practice in Tenasserim was not altogether subordinated to the revenue management of the province, but was in many respects provided for separately, and with material improvements and the enormous growth of trade, the Supreme Government began to look upon Arakan as one of its most prized possessions, while they constantly expressed their favourable opinion of the merits of the Commissioner, (1) Lieutenant Phayre and the other assistants.

The great stumbling block to progress in Arakan, as in Tenasserim, was the extreme scantiness of the

(1) Bengal Rev. Cons. 5th May 1840. No. 67. para 10. To Revenue Dept. of Bengal from Sudder Board, dated 1st April 1840.

population in relation to the size of country.

Nothing conducive to prosperity could be achieved, so long as vast areas suitable for cultivation remained unoccupied. Bogle determined to tackle the problem from the outset of his administration. In August 1837, he wrote to the Sudder Board urging the necessity of granting special terms to the surplus of Bengal to settle in Arakan; population was the crying want of the province, and it was needless to argue against the immigration of foreigners as some of his predecessors had done, most notably Captain White who had by his (1) injudicious measures made them unwelcome. Bogle suggested that all Bengalis, Chittagonians and other British subjects who wished to settle in the province should be exempted from the capitation tax for a period of seven years, a step which would undoubtedly cause them to flock to the Akyab district in crowds. He stated that he thought it unwise to hold a similar inducement to emigrants from Burmese territory, because of the hostility it might provoke at the Court of Ava, but that the parts bordering on Ava were fairly well peopled, and in spite of Burmese preventitive measures, many

(1) Bengal Rev. Cons. 19th September 1837. To Sudder Board from Bogle dated 16th August 1837.

families had already crossed the Yomatomung mountains into British territory. The Sudder Board, were at first opposed to the suggestion of exempting foreigners from the capitation tax, for fear that it would lead to "too great an emigration from, and throwing up of lands in the Chittagong district"⁽¹⁾ but in May 1838 Bogle submitted the rules he had drawn up for exemption from the tax and prevention of fraud by the grant of patta⁽²⁾hs to immigrants, and although I have not been able to trace the orders of government sanctioning the measure, it seems probable that the exemption was sanctioned, for the population of Arakan in 1839-40 had risen to as many as 247,000 souls from the 173,000 of 1831, and a great increase in cultivation had also taken place.⁽³⁾

At the same time, Phayre made indefatigable efforts to civilize, and to encourage the tribes in the north-east of the Akyab district to settle on the plains, and take up cultivation permanently, instead of pursuing their spasmodic shifting methods of tillage along the

(1) Idem.

(2) Bengal Rev. Cons. 26th June 1838, No. 106. To Sudder Board from Bogle dated 8th May 1838.

(3) Ibid, 26th Jan. 1841. No. 63 To. Govr. of Bengal from Sudder Board dated 10th Nov. 1840.

hill slopes. He undertook special visits to the villages in which the chiefs of the Kyaunthas⁽¹⁾ and Chins resided, and at great risk to his health, succeeded in winning them over to the British Government by his "mild and conciliatory manners." Many of them abandoned their ancient methods of tillage, which was "the primitive one of clearing, with infinite labour, the hill forest and sowing their rice and vegetable seed without the help of any other implement than a small hand hoe." In April 1840, Phayre reported a visit to a place eight miles up the Kuladin river, at which he had held a most successful fair. The objects of the latter which was attended with great success, may be gathered from his own words : "the object of this Bazaar", he wrote, "is to induce the farther Hill tribes who hitherto have been very shy of any intercourse with the officers of the British Government, to leave occasionally their houses and mix in a common mart with the people of the plains. They are wholly dependent on the latter

(1) Bengal Rev. Cons. 13th April 1841. No. 27. To Sudder Board from Bogle dated 8th March 1841, enclosing a letter from Phayre. The Kyaunthas, literally "children of the mountain torrent", wrote Phayre, lived along the banks of "the Myoo and Tseingdoug rivers and were beginning to provide themselves with ploughs and buffaloes and to commence a regular agricultural life".

for salt, salt-fish, Ngapee etc. in exchange for which they can bring cotton, tobacco, wild pouleof (sic) and a small portion of elephants tusk: these articles used to be passed from tribe to tribe, the further tribes receiving the necessary articles of salt from those near our frontier, the latter purchasing it from small dealers who took their cargoes in boats up the Koladyne. The present pazaar is situated near the mouth of the Meekyaung which runs into the Koladyne, this being a central position equally favourable for the hill tribes and the Mugs. The advantages I anticipate from this mart being established are, eradicating the shyness and suspicion which clings to the hill chiefs, even to those who since the British Government has held Arracan, have paid their tribute to us as successors of the Burman Government, but who are so distrustful as to suppose they will be seized on any opportunity presenting itself; ^{they} why/should think so, they cannot explain, but still the vague suspicion and fear prevails. Our influence over them being extended also, by more frequent intercourse, will, I trust, in time, put an end to their terrible attacks on each other, and on neighbouring tribes, which are made for the purpose of procuring slaves." ⁽¹⁾ The latter hope

(1) Bengal Crim. Jud. Cons. 19th May 1840. No. 26.
To Bogle from Phayre dated 10th April 1840.

was to some extent realised. Bogle, in forwarding Phayre's letter to Bengal, bestowed much praise on the exertions of his assistant and stated that Phayre had done much towards reducing crime in the frontier districts. Some of the hill chiefs who were notorious dacoits, began to visit Arakan, ⁽¹⁾ while the intercourse that was promoted with the people of the plains was a further step in the development of trade and the civilizing effects of British rule.

The increase of population, and the reduction of crime, were naturally attended with an increase of cultivation, and a corresponding rise in revenue. Bogle continued the work of his predecessors in securing the abolition of certain petty taxes still existing, and also a reduction in the capitation tax on married men and widows. In 1840 the Sudder Board sanctioned the abolition of the capitation tax of Rs 2 on bachelors and the abolition of the grazing tax of two annas and two pie a head on all cattle in excess of the two required for each plough; also the reduction of the capitation tax on married householders from Rs 4 - 8 as. to Rs 4, and on widowers from Rs 3 to Rs 2, measures which afforded great relief and which led to an influx of 1821 persons

(1) Idem. To. Govt. of Bengal from Bogle, dated 4th May 1840.

in the Akyab district, as against the 125 who had
(1)
left it during 1830-41. The Board however, were
opposed to the abolition of the tax on forest produce
such as honey, ivory and bees-wax (but the Governor
of Bengal agreed to its abolition). Bogle was as
opposed to the abolition of the tax on fisheries, a
measure which the Board attempted to secure in Arakan
as in Tenasserim, so with the exception of the abolition
of a trifling tax on small hand nets, the tax on fisher-
ies was allowed to remain. In the year 1839, the ab-
stract statement forwarded to the Governor of Bengal
by the Board, exhibited the following heads of taxation
in Arakan :- Capitation tax, fisheries, commercial,
hill circles not systematically assessed, land, forest
(2)
produce and forest farm, which most probably referred
to licences granted to those who cut teak and other
wood in the forest, an item of revenue rarely mentioned,
and never discussed in the early reports on Arakan.
No reference was made to a tax on salt manufacturers,
and we can only assume therefore, that the tax of Rs 2 on
each person engaged in making salt, mentioned by Walters

(1) Bengal Rev. Cons. 28th Sept. 1841. No. 42. paras 4-6
To Sudder Board from Bogle dated 26th July 1841.

(2) Bengal Rev. Cons. 22nd August 1839. No. 76. To
Govt. of Bengal (Rev. Dept) from Sudder Board, dated
19th June 1839.

(1)
in 1833, had been abolished. Salt was still a staple product, and Bogle set to work to encourage its production, and to prevent the contraband trade which had grown up between Arakan and certain districts in Chittagong.

When Bogle was appointed Commissioner, the manufacture of salt in Arakan was still regulated by the rules drawn up by Blunt in 1828. (2) with the exception that the Maghs who delivered it at the government golahs received 6 as per maund of 85 seers instead of the 7 as per maund which they had received in 1828-29. Since 1830 however, owing to the absence of all restrictions on the export trade, a large smuggling trade had grown up between Arakan and Chittagong, and even Calcutta, and the Government of Bengal had written to Bogle, suggesting that the manufacture and export of salt be suppressed in Arakan, if no method of effectually stopping the smuggling could be instituted. Bogle, in reply however, pointed out "the harshness, hazards and probable futility of attempting to suppress the manufacture in a frontier province like Arakan", and suggested instead that the

(1) See above p 226 .

(2) See above p, 200

free export trade in salt be prohibited altogether in Arakan, and that Government should buy from the Maghs, at the rate of eight annas per maund, all the salt manufactured in the province. The salt could then be conveyed from the Government golas in Arakan, "as much as possible by Europeans to Chittagong or Calcutta under an improved system of weightment and shipment which should preclude the risk of any being landed on the passage." In order still further to prevent the smuggling of salt a chokey could be established at the mouth of the Mayu river, while two gun-boats attached to it, could periodically scour the sea around (1) for boats with contraband salt. The Sudder Board concurred most heartily in Bogle's sentiments about the encouragement of the salt manufacture in Arakan and the establishment of a chokey, but considered eight annas, (2) per maund, too high a rate for government to pay. The Governor of Bengal on the advice of the Board of Customs, Salt and Opium also thought likewise, but as a stimulus to production for the consumption of the Chittagong district, the price was raised to seven annas per maund, though it was stated that the enhanced rate

(1) Bengal Rev. Cons. 17th April 1838. No. 56. paras 8-9 To Sudder Board from Bogle dated 19th October 1837.

(2) Ibid, No. 55. To Govt. of Bengal from Sudder Board dated 5th Jan. 1838.

was not remunerative to Government nor did it reduce
(1)
the price in Chittagong. Bogle however, still
persevered in his efforts to put the salt supply of
Arakan on a better footing, pointing out in 1841, that,
owing to the low rate paid by government, the export
of salt within the last two years, had dropped from
(2)
278,000 to 120,000 maunds; the Governor of Bengal
however refused to raise the rate to eight annas per
maund, and Bogle had to be content with the privilege
of corresponding directly with the Board of Customs,
Salt and Opium at Calcutta instead of submitting his
reports circuitously through the Revenue department and
the Sudder Board of Revenue. During 1842 and 1843 how-
ever, he reported a great improvement in the resources
and trade of Arakan, and although I have not been able
to obtain the figures for the export of salt during
those years, I think it probable that the favourable
shipping returns of the period also include the amount
of salt exported from the province. The most note-
worthy increase of revenue however was that obtained from
the land, which from 1837-43 steadily rose. When Bogle

(1) Bengal Rev. Cons. 27th July 1841. No. 95. Extract
from the Revenue Department dated 13th July.

(2) Ibid, No. 97. para 2. To Govt. of Bengal from
Bogle.

assumed office the rates in different circles still varied, but in the first year of his commissionership, 1837-38, he reported an increase of all revenue of Rs 9979. 2 as. 9p. on the preceding year, ⁽¹⁾ a large proportion of which consisted of an increase in land revenue chiefly from the districts of Akyab and An. In Ramree, unfortunately, owing to heavy mortality amongst the cattle for several years, there had been a decrease, but the improvement in the Akyab district, which alone produced rice for export beyond its needs, counteracted this, while it also made up for the abolition of the miscellaneous taxes in the previous year. At the same time the value of the rice exported from Akyab from April 1837 to April 1838, amounted to Rs 1317,317 the trade giving employment to more than ⁽²⁾ 50,000 tons of shipping.

The collections for 1838-39 exhibited a further increase, nearly the whole of the assessed revenue of Rs 641,317 being collected with the exception of ⁽³⁾ Rs 3652, while the actual increase in the resources ⁽⁴⁾ of the province ~~was~~ Rs 61138. This increase occurred

(1) Bengal Rev. Cons. 22nd Aug. 1839. No. 76. para 9 To Govt of Bengal from Sudder Board dated 19th June 1839.

(2) Bengal Rev. Cons. 2nd Oct. 1838. No. 61. para 11 To Govt. of Bengal from Sudder Board dated 27th July 1838.

(3) Bengal Rev. Cons. 5th May 1840. No. 67. para 7. To Govt. of Bengal from Sudder Board.

(4) Idem. para 3.

principally in the land tax, though there had been an improvement in all branches of taxation. The growing prosperity inspired all classes with confidence in the British Government; by 1840, the commissioner joyfully reported that the ryotwari system had been firmly established in Arakan; each ryot was protected from extortion by the grant of a pattah, which had on its reverse a form of receipt on which was entered the amount paid by him to the revenue officials.⁽¹⁾ During 1839-40, the revenue had been so easily and promptly collected, that, there had only been "one solitary instance of distraint, and one of imprisonment on account of default."⁽²⁾ So pleased was the Sudder Board with these favourable results during 1837-40 that they consented to a reduction of the capitation tax on married men and widows, and the abolition of the capitation tax on bachelors, boats and small nets,⁽³⁾ which altogether entailed a loss to Government of about Rs 60,000.⁽⁴⁾ In 1840-41 this loss however was almost compensated for by an increase

(1) Idem. para 8.

(2) Idem. para 7.

(3) Idem. para 9.

(4) Bengal Rev. Cons. 11th August 1840. para 4. No. 26 To Sudder Board from Bogle dated 16th July 1840.

in the land tax, the rates of which "per doon" Bogle had raised in certain districts, but which he had not yet succeeded in equalizing for the whole province. The Sudder Board constantly urged the necessity for establishing a uniform rate of assessment in Arakan and considered that the increase from Rs 8 to Rs 10 and Rs 12 per doon still compared most unfavourably with the rents paid for rice lands in the adjacent parts of the Chittagong district. ⁽¹⁾ Bogle pointed out that the discontinuance of the levy of an extra batta (sic) on the assessment would reduce the rates even in the most productive circles to Rs 16 per doon, ⁽²⁾ but the Board were convinced that the loss of the miscellaneous taxes, and the future abolition of the capitation tax could only be achieved by one method and that was by a gradual raising of the rates on land, till a uniform standard of Rs 16 per doon could be reached in the whole province. Still, this was not possible so long as districts remained unsurveyed. Akyab manifested each year, a "continually progressive improvement", and the actual area under cultivation had risen from 18429 doons

(1) Ibid, 2nd October 1838, No. 61. para 25. To Govt of Bengal from Sudder Board, dated 27th July 1838.

(2) Idem. para 24.

(1)
in 1833-34 to 29,690 doons in 1839-40. This increase,
wrote Bogle, had been "affected almost entirely by native
Arracanese whose industry has been stimulated," (2) al-
though a considerable amount of foreign immigration had
taken place in the Akyab district. The island of Ramree
unfortunately possessed little land suitable for cul-
tivation, but the island of Cheduba was admirably suited
to the cultivation of various products, and was beginning
to attract capitalists who applied to Bogle for grants.
At the end of December 1840 therefore, Bogle requested
the Government of Bengal to send to Cheduba, a party
of competent surveyors, "not only that certain grants
lately applied for may be accurately defined, but also
that it may be seen to what extent grants may be made,
without prejudicing the interests of Government and
the present cultivators." (3) He feared that European
capitalists and others, might import hundreds of ryots
from Bengal for the cultivation of sugar-cane, hemp,
cotton etc. and although he was in favour of encouraging
the cultivation of these products, he was at the time un-
able to obtain any idea of how much of the 100,000 acres

(1) Bengal Rev. Cons. 26th Jan 1841. No. 63. To Govr. of Bengal from Sudder Board, dated 10th Nov. 1840.

(2) Ibid, 27th July 1841, No. 91. To Govt. of Bengal from Sudder Board.

(3) Bengal Rev. Cons. 29th Dec. 1840. No. 20. To Govr. of Bengal from Sudder Board of Revenue.

of land on the island, should be preserved for Government and the natives, and how much should be devoted to rice cultivation. In compliance with his request therefore, the Government of Bengal in November 1840 despatched a surveyor N.I. Hudson, on a salary of Rs 250 per mensem to Arakan with a party of experienced (1) surveyors, and much to Bogle's joy, they were placed directly under his control, and not under that of the (2) Sudder Board. Hudson and his party completed a survey of Cheduba, and at Bogle's request, were allowed to remain in Arakan for another season for the survey of the island of Akyab, and so pleased was Bogle with the result of their work that, on the completion of the latter survey in August 1842, he made a further application for a detention of some of the party for a more extensive survey of waste and cultivated lands in the Akyab district, and was fortunate enough to obtain the sanction of the Governor of Bengal in spite of the (3) objections of the Sudder Board. A survey of the Chittagong district had also been made just prior to the Arakan survey, and by the end of 1842, the tract of

(1) Ibid, 29th Dec. 1840. No. 24.

(2) Ibid, 24th Oct: 1842. To Deputy Governor of Bengal from Sudder Board dated 24th August 1842.

(3) Idem.

country extending from Chittagong to Cheduba had been so well surveyed that the location of villages and the courses of the rivers between the two districts had been accurately traced.

The revenue returns for 1841-42 as a result of the survey exhibited a net increase to Government of Rs 2411. 3. 3p. (1) on the former year, while the total amount collected, with miscellaneous taxes such as the capitation tax, and the (2) taxes on orchards and fisheries amounted to Rs 615,016, and this sum according to Bogle, "was promptly realised, with remissions but little exceeding one half per cent, and this too without a cause of incarceration, distraint, or other unpleasant means" a fact which he considered was proof of "the accuracy and lightness of the assessment, the means and goodwill of the people, or the diligence of the assistants in charge of the collections." On 30th May 1843, the Court of Directors in England were so pleased with the general prosperity and good management in Arakan that, they requested the Government of Bengal to convey to Bogle and his assistants their most favourable opinion of the exertions of the revenue author- (3) ities in the province. Bogle and Phayre had undoubtedly

(1) Ibid, 20th Nov. 1843, No. 101. para 3. To Sudder Board from Bogle dated 7th Jan 1843.

(2) Ibid, 20th March 1843, No. 100. To Govt. of Bengal from Sudder Board, Statistical Tables.

(3) Ibid, 8th Aug. 1843. No. 3. Resolution of the Govt. of Bengal.

by 1843 lifted Arakan out of its stagnation, and by their indefatigable efforts had, in comparison with the year 1830, almost doubled both the revenue and population of the province. Much of this improvement was undoubtedly due to the strengthening of the police and a stricter administration of justice. In 1837, Bogle requested, and received an additional Rs 346 per mensem for reorganising the police force of the province so as to include in it a strong section of military police although he still wished it to retain the nature of a burkundaze corps. The Magh dacoits knew the country so well that "peadahs" [police men] alone were insufficient and "nothing less than a body of men only inferior to disciplined soldiers" were needed to deal with them. To achieve this object, Bogle set to work to lay the foundations of the present system of military police in Burma. He collected a number of able-bodied men in each district, disciplined them at the chief station, where they often did drills with the men of the Arakan local corps, armed them, supplied them with uniforms and despatched them to the outlying districts. (1) He realised that drilling at the tannahs alone proved of no avail, and efficiency could best be secured by the

(1) Arakan Crim. Jud. Cons. 3rd Oct. 1837. No. 51.
To Govt. of Bengal from Bogle, dated 22nd Aug. 1837.

frequent transference of the men from one outlying post to another. A strong reserve was always maintained at Akyab, the most populous and the district most subject to crime. The half yearly police reports of crime from 1837-42⁽¹⁾ exhibit an improvement in the state of the police and a reduction in heinous offences, such as dacoity and gang-robbery which had been so rife in northern Arakan; Ramree which had always been singularly free from serious crime continued in a peaceful state, while in 1841, Bogle was proud to report that, as a result of the erection of a stockaded post on the road from An to the Burmese territory, and the increased vigilance of the police officers, there had not been a single dacoity in An that year.⁽²⁾ Towards the end of 1843 however, crime was on the increase again, and the state of the police in Arakan received the minute supervision of the Governor of Bengal. The Sudder Nizamat Adawlut was dissatisfied with the failure of the criminal authorities in Arakan to convict "the perpetrators of such heinous offences as are entered in the statements." They complained that hundreds of persons were arrested for arson and house-breaking, but very few were ever convicted, and scathingly referred to police officers in

(1) Bengal Crim. Jud. Cons. 22nd August 1839. No. 20
Also, Ibid. 30th March 1841, No. 67.

(2) Idem.

Arakan as "mere vehicles for reporting crimes which remained unpunished."⁽¹⁾ Burma unfortunately, has always had a big record for crime,⁽²⁾ but the police reports for the period were apt to confuse burglaries and petty thefts with the more serious offences of gang robbery and dacoity, or else, as pointed out by the Deputy Governor of Bengal in a resolution on the police of Arakan, failed to discriminate between such offences as "giving bad advice", "causing annoyance", and telling falsehoods and the more serious ones of "perjury" or "aiding and abetting in murder".⁽³⁾ The same criticism was brought against the judicial returns of Arakan, as against those of Tenasserim. Assistants failed to classify miscellaneous offences so as to render them intelligible to the judges at Calcutta, while the numerous cases arising out of quarrels between husbands and wives, or between different members of a family, were regarded by them, as being unnecessary and frivolous. Bogle, like Blundell, made many attempts

(1) Bengal Crim. Jud. Cons. 11th Dec. 1843. No. 116. Resolution of Govt. on Bogle's Report.

(2) Grant-Brown, "Burma as I saw it" pp 82-4

(3) Idem.

to explain that petty brawls and thefts, especially with the increasing influx of immigrants to the Akyab district, were inevitable, while the strangeness and beneficent effects of summary justice, to a people accustomed to gross corruption and tyranny, undoubtedly increased the number of litigants. One striking instance cited by Bogle in his police report for the first half of 1840 will exemplify the trivial nature of some of the suits instituted. "I may mention here", he wrote, "that I received a most plaintive petition forwarded by post from Ramree from a little child, of course drawn up by its parents, complaining of another little child having cut the tip of the complainants finger off whilst at play, which the doctor was unable to sew on again, and demanding justice against both ! Where appeals of this kind occur, the impracticability of keeping down the number of cases will be obvious. It is however pleasing to reflect that when people so readily come forward with trifles, they are not likely to keep back matters of graver import, and that every instance of oppression is made known and rectified.⁽¹⁾ Still, the growth of miscellaneous petty cases did not trouble the judicial authorities in Arakan as much as the dacoities which constantly occurred both in the Akyab and Sandoway districts.

(1) Bengal Crim. Jud. Cons. 17th Nov. 1840. No. 77. Police Report for the first six months of 1840 dated 7th October 1840.

The former would inevitably decrease with the improvements in the towns and villages and an increase in the general prosperity and intelligence of the inhabitants, but the latter in spite of the efficient judicial work of the four assistant, Phayre, Abbot, Williams and Lumsden, who were made justices of the peace in March 1840⁽¹⁾ and in spite of the energies displayed by Bogle and Phayre in deciding criminal cases, still presented a problem in 1843. The police reports for 1837-43 are extremely scanty on the judicial work of native officials, and we can only assume therefore, that the powers granted to kyouks and thugyis remained the same as they had been in the days of Halhed; there is a reference however to the appointment of a "myothugyi" or Tara Ma thugyi at Akyab and he appears to have been the head native judicial clerk of the district.⁽²⁾ In 1838, the Court of Directors had sent out instructions that all orders and depositions in Arakan were to be made in the Magh language,⁽³⁾ and no other language was to be used, a practice which had not altogether been put into force before 1838, and

(1) Ibid, 17th March 1840. No. 48. To Commissioner from Govt. of Bengal.

(2) Ibid, 30th Nov. 1841. Nos. 51-4.

(3) Bengal Rev. Cons. 13th March 1838. No. 53. Extract from a letter from the Honble the Court of Directors to the Govt. of India in the Rev. Dept. dated 11th Oct. 1837

in the same year, Government Anglo Vernacular schools were established in Akyab and Ramree, and Sandoway, (1) so after that date, in spite of the importation of convicts from Bengal, and the influx of natives of India, much more attention was devoted towards educating up and training the natives for responsible government posts.

Bogle had been the first administrator of Arakan to put forward a proposition for the immediate establishment of schools in Arakan, which, he stated in an application to the General Committee of Education at Calcutta in 1837 "was the only commissionership under the Bengal Government without a public seminary." (2) Missionary effort had done much towards promoting education in Tenasserim, but education in Arakan in spite of the close superintendence of the Government of Bengal was still confined to the monastery. It was only after Bogle had pointed out the prospects and facilities for promoting education among the native Maghs that the

(1) *Cambridge History of India*, Vol. V. p 567.

(2) Sudder Board of Revenue Proceedings. 31st Oct. 1837. No 67 para 2. To Sudder Board from Bogle.

Governor of Bengal in 1838, sanctioned the establishment, at Government expense, of schools in the three towns of Akyab, Ramree and Sandoway. The first step at least had been taken towards training the Maghs in their own language and in English, but unfortunately the correspondence I have examined makes no further mention of the schools or the progress achieved.

In conclusion, it would be well to notice the material improvements which Bogle and Phayre had instituted throughout the province. In Arakan, as in Tenasserim, there were many difficulties in the way; free labour was scarce, the supreme government refused to agree to Bogle's suggestion that two per cent of the collections should be allotted to internal improvements, ⁽¹⁾ and on several occasions, the commissioner was reprovved for having authorised the erection of a new building without previous sanction from Calcutta. In 1840, the commissioner complained that the Executive Engineer he had been given was not proving as efficient as he expected, and that he would need several

(1) Bengal Rev. Cons. 10th April 1843. No. 51. To Sudder Board from Bogle, dated 9th March.

hundred convicts for the construction of roads and drains in the province. In fact, nearly all the public labour in Arakan from 1840 onwards, as in Tenasserim, was performed by convicts many of them thugs, sent to Arakan from the jails in Bengal, ⁽¹⁾ and who never arrived in gangs of less than 50, 90 or 100 men. The managements of the jails, and the enforcement of a good system of prison discipline at the three chief towns of Akyab, Ramree and Sandoway therefore occupied much of the commissioner's attention, for outbreaks on the part of prisoners were often attempted.

With the aid of convict labour, Arakan took on a new aspect. Jungles were cleared, swamps drained, and bridges constructed across its numerous creeks. Within ten years, the town of Akyab had risen "from an insignificant Mug village, consisting of a few huts crowded together without regularity, and remarkable for its want of cleanliness to be the most flourishing, populous, and best constructed town in the whole province." Permanent wooden buildings and broad streets had supplanted the frail bamboo

(1) Bengal Crim. Jud. Cons. 26th May 1840. No. 20. To Govt. of Bengal from Bogle, dated 10th May 1840 asking for the despatch of all available convicts on the return of the vessel, Amherst, to Arakan.

Also, Ibid, 27th Oct. 1840. No. 28. To Bengal from Commr. dated 10th Oct. 1840.

huts and narrow paths, while the admirable situation of the port on an island at the mouth of the Kuladin river, enabled it to become the granary of the surrounding districts. As pointed out by Pemberton, Akyab alone, because of its situation could secure to the British the export of the rice with which the province abounded. Its harbour and situation attracted vessels, and the road leading to Chittagong which passed through the island, and then close to the estuary of the Mayu river, enhanced its importance.

Thus Akyab on the one hand and Moulmein on the other have justified their creation by the British; the rice exported from the former, and ^{the} both/rice and teak exported by the latter now penetrate many markets of the world; their harbours are the resort of ships of all nations, their imports both raw and manufactured, come from all quarters of the globe. Long before the Second Burmese War in 1852 they had attracted hundreds of immigrants from the Burmese districts of the interior, while the acquisition of Rangoon and the delta districts of Pegu completed the command over the hinterland of Burma which they had begun and made a British annexation of Upper Burma practically inevitable.

APPENDIX I.

CORRESPONDENCE BETWEEN THE GOVERNMENT OF BENGAL AND THE COMMISSIONERS OF ARAKAN AND TENASSERIM.

As the First Burmese War had been declared by Lord Amherst the Governor-General of Bengal, the ceded provinces of Arakan and Tenasserim became at the end of the war, an integral part of the Bengal Presidency. From the beginning of the war till 1833, all matters, military, political and administrative received the detailed supervision of the Governor-General in Council and practically all the correspondence and the records of the minutes and discussions on affairs in British Burma for the period 1824-33, are to be found in the Secret and Political Consultations of the Government of Bengal. Occasionally, one comes across a letter relating to the army or to trade, or a special revenue topic in the Military and Revenue Consultations of the period, or in the Consultations of the Board of Trade or of Customs, Salt and Opium, but in no case were the Commissioners of Arakan and Tenasserim allowed to address letters directly to any of the administrative departments of Bengal without special permission, and nearly every letter up to the year 1833, was addressed to and answered by the secretary of the Secret and Political Department of the Bengal Government, Special

problems, as for example, the foundation of Moulmein by Crawford, were discussed and criticised in a minute by each member of council, and the minutes were then read in circulation, while often, the consultations also record the actual arguments and discussions which took place at the meetings of the council. The correspondence between the Bengal Council and the Commissioners of Arakan and Tenasserim manifest both the rigid degree of centralization which prevailed and a rapid increase in the volume of correspondence for no single incident of administration escaped the attention of the Governor-General in Council. Copies of practically all this correspondence were sent to the Court of Directors in England, and were, on arrival at the East India House, as carefully indexed and classified in separate volumes as in Bengal. The Charter Act of 1833 however, altered this state of affairs. To begin with, the Governor-General of Bengal though still Governor of Bengal assumed new responsibilities with his new role of Governor-General of India, and the revenue and judicial affairs of Arakan and Tenasserim could not be as minutely controlled by him as formerly, although they were still subject to his strict supervision. By Act II of 1835, the administrations of Arakan and Tenasserim were placed under the Government of Bengal and the

Commissioners of both provinces were instructed in future, to correspond directly with the Sudder Board of Revenue on revenue matters, and with the Sudder Dewanny and Nizamat Adawlut Courts at the Presidency on all matters pertaining to civil and criminal justice, but when important questions were involved, the Revenue Board and the two courts forwarded the letters they received from Burma to Lord Auckland the Governor of Bengal who was often able owing undoubtedly to his access to former records as well as superior wisdom, to throw light on, or settle amicably, controversial questions concerning taxation or judicial procedure. Hence, duplicates of the letters from the administrators in Arakan and Tenasserim to the Sudder Board and Courts for the period 1833-43 with which this thesis deals, are to be found in the Revenue and Judicial Consultations of the Government of Bengal for 1833-43, as well as in the Sudder Board of Revenue Proceedings for 1837-43 and in the Bengal Civil and Criminal Judicial Consultations. After 1833, owing to the growing complexity of affairs, each special branch of the administration in British Burma was subjected to a departmentalised control and the old method of haphazard discussion and coordination of all branches of the administration in the hands of Bengal

Council was abolished. In conclusion, it may be mentioned that with the increasing volume of correspondence in all departments of the Governments of India and Bengal, the Directors issued instructions that abstracts alone, of original letters would be sufficient for their perusal, and thus, much detailed information and many statistics available in the records contained in the offices of the Commissioners of Arakan and Moulmein, or even at the Imperial Record Department at ~~Calcutta~~ are lacking in the records preserved in the Record Department of the India Office at Whitehall.

APPENDIX II.

STATISTICAL STATEMENTS RELATING TO THE TENASSERIM PROVINCES.

Receipts.

	1833			1836			1839		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Land Revenue (Grain)	1,15,662	1	4	1,09,086	14	4	1,27,452	6	5
Garden Produce	34,503	1	6½	30,622	0	0	32,484	13	4
Teak timber	13,457	7	10	20,803	14	4	21,814	12	10
Salt	3,109	14	0	5,550	5	7	1,564	1	9
Fisheries and Balachong	13,298	2	0	12,754	4	8	16,823	4	9
Birds' nests	12,312	0	0	17,441	4	0	11,436	8	0
Karen and Salonee Poll Tax.	14,351	10	8	18,406	5	8	23,256	7	0
Bazaar Tax	5,423	0	0	16,996	7	0	23,685	10	3
Judicial fees and fines	15,790	0	0	15,546	13	4	19,536	2	4
Convict Hire	.....			14,363	7	10	22,657	15	8
Postage	195	12	0	179	2	0	962	9	0
Pilotage and Harbour dues	6,518	15	5½	5,725	0	3	10,253	14	0
Sayer	81,844	5	4	57,948	1	5	75,633	0	5
Miscellaneous	15,698	3	2	7,762	15	1	13,677	2	2
Total	3,32,164	12	8	3,33,185	15	6	4,01,238	11	11

APPENDIX II.

STATISTICAL STATEMENTS RELATING TO THE TENASSERIM PROVINCES.

Expenditure.

	1833			1836			1839		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Assistant Commissioners and their Establishments.	45,024	1	8	51,594	5	6 $\frac{3}{4}$	45,924	3	1
Medical Establishment.	9,322	9	0	8,460	0	0	13,560	0	0
Ecclesiastical Establishment	.....			9,348	15	3	9,158	15	11
Schools Establishment	600	0	0	6,000	0	0	6,000	0	0
Revenue Establishment	17,150	12	0	12,869	10	6	15,826	12	11
Judicial Establishment	66,155	4	0	58,175	10	3	62,781	0	10 $\frac{1}{4}$
Jail Establishment including clothing and feeding convicts and repairs of buildings.	17,992	8	$\frac{1}{2}$	45,106	9	7 $\frac{1}{2}$	48,578	15	10
Abkarry Establishment	1,664	9	7	1,267	10	5	1,680	0	0
Post Office Establishment	.....			.....			1,201	10	8
Marine Establishment	58,735	13	4 $\frac{3}{4}$	27,055	3	8	53,132	4	6
Pensions Establishment	4,465	12	0	3,720	0	0	3,788	6	8
Talaing Corps	.....			.....			38,924	4	1
Miscellaneous	6,789	10	11	13,189	9	4 $\frac{1}{2}$	22,039	10	9
Total	2,48,468	0	7 $\frac{1}{4}$	2,36,787	10	7 $\frac{3}{4}$	3,22,596	5	3 $\frac{1}{4}$

APPENDIX II.

Statement of Gross and Net Revenue of the Province of
Arakan, for 1832-33.

Receipts.

	Arakan				Ramree				Sandoway			
	Sa.	Rs.	As	Ps	Sa.	Rs.	As	Ps	Sa.	Rs.	As	Ps
Collection of Land Revenue	2,54,255		0	0	1,54,823		0	0	43,476		0	0
Abkari, including Taree Drugs and Opium	2,505		0	0	812		0	0	890		0	0
Fees, Fines, Tulubanna, Gain by better Sale of Unclaimed Property, Refunded Revenue charges etc.	1,348		0	0	1,854		0	0	966		0	0
Total Gross Receipts	2,58,108		0	0	1,57,489		0	0	45,332		0	0
Deduct Charges	2,31,941		0	0	1,11,588		0	0	22,014		0	0
Net Revenue, Sa Rs	26,167		0	0	45,931		0	0	23,318		0	0

APPENDIX II

Statement of Gross and Net Revenue of the Province of
Arakan, for 1832-33.

Expenditure.

	Arakan			Ramree			Sandoway		
	Sa.	Rs.	As Ps	Sa.	Rs.	As Ps	Sa.	Rs.	As Ps
Charges General viz. viz. Tusildari, Abkari, Mug Light Corps, and ex- traordinary charges	2,13,684		0 0	1,10,808		0 0	22,014		0 0
Charges of the Commissioner	17,609		0 0	0	0	0	0	0	0
Pensions and Charitable Al- lowances,	325		0 0	750		0 0	0		0 0
Miscellaneous Charges	323		0 0	0	0	0	0	0	0
Total Charges	2,31,941		0 0	1,11,558		0 0	22,014		0 0

APPENDIX III.

PROVINCE OF AMHERST.

Establishments authorized by Government.

	Rs. A. P.	Rs. A.P.
Captain A. McCally, Assistant Commissary-General in charge of the Police and Petty Court in the Town of Maulmain S. Rs 300		319 8 0
Mr. I. Condamine in charge of the Judicial and Revenue detailed without the Town of Maulmain S. Rs. 400	426 0 0	
Establishment of a Boats' Crew attached to Mr. Condamine the whole of the duties in the In- terior of Amherst Province being conducted by means of water communication.	189 11 0	
1 Burmese Munshih	20 0 0	
2 Peons	20 0 0	
		655 11 0

Medical Establishment.

1 Assistant Apothecary at Amherst	50 0 0	50 0 0
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Land Revenue.

1 English Clerk	49 0 0	
1 Akunwun-goung	60 0 0	
3 Burmese Writers	60 0 0	
7 Peons	70 0 0	
		339 0 0

Judicial.

1 sitke for native Court	100 0 0	
1 Expounder of Law	30 0 0	
1 Administerer of Oaths	20 0 0	
1 Burmese Writer	30 0 0	
1 Burmese Writer	20 0 0	

Rs. A. P. Rs. A. P.

Judicial (cont).

1 Burmese Interpreter	20	0	0			
1 Chinese Interpreter	30	0	0			
3 Youm peons	30	0	0			
1 Jailor	30	0	0			
2 Jemadars	24	0	0			
10 Peons	100	0	0			
				434	0	0

Maulmain Town Police.

1 Burmese Writer	20	0	0			
4 Peons	40	0	0			
3 Goungs of districts at Rs 50 each	150	0	0			
3 Writers attached to Goung of districts	45	0	0			
12 Peons attached to Goung of districts	120	0	0			
15 Street Thugyis	165	0	0			
1 Overseer of Market	30	0	0			
2 Peons attached to Overseer of Market	20	0	0			
				590	0	0

Provincial Police.

5 Goungs at Rs 50 each	250	0	0			
5 Burmese Writers attached to Goungs	75	0	0			
10 Peons attached to Goungs	100	0	0			
7 Karen sitkes	105	0	0			
				530	0	0

River Police.

1 Headman	15	0	0			
15 Boatmen	165	0	0			
				180	0	0

General Department.

1 Shroff				30	0	0
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Import and Export Department.

1 English Clerk	60	0	0			
1 Burmese Writer	15	0	0			
1 Peon	10	0	0			
				85	0	0

H.C. Steam Vessel Diana.

	Sc.	Rs.
1 Commander Mr. Lindquist at		330
1 Engineer at		350
1 Second Engineer at		250
1 Gunner at		40
1 Carpenter at		35
1 Syrang at		20
2 Secunnies at Rs 12 each		24
13 Lascars at		117
6 Stokers at Rs 16 each		96
1 Cook at		12

1,274

2 11½

Compensation money to above in lieu
of provisions

106 12 0

1,463 8 11½

Marine Police.

Sc. Rs.

Superintendent of Marine Police, Mr. Dromgoole	150
2 Syrangs	40
3 Tindals	30
36 Lascars	360

580

617 11 2½

Compensation to ditto in lieu of
provisions

140 0 0

757 11 2½

Total, Madras Rs

6,950 13 7¾

PROVINCE OF TAVOY.

Establishments authorized by Government.

	Rs.	A.	P.	Rs.	A.	P.
Deputy Commissioner E.A. Blundell Esq	1,528	11	4			
1 Burmese Munshi	30	0	0			
Burmese Peons	20	0	0			
				1,578	11	4

Medical.

1 Assistant Surgeon	426	0	0			
1 Dresser	40	0	0			
1 Sweeper	10	0	0			
				476	0	0

Land Revenue.

1 English Clerk	50	0	0			
1 Akunwun-goung	80	0	0			
4 Writers at Rs 17 each	68	0	0			
4 Peons at Rs 10 each	40	0	0			
1 Shroff	30	0	0			
				268	0	0

Judicial.

1 English Clerk	200	0	0			
1 sitke	100	0	0			
2 Writers at Rs 15 each	30	0	0			
2 Peons at Rs 10 each	20	0	0			
1 Expounder of Law	30	0	0			
1 Youm Writer	30	0	0			
1 Youm Writer	15	0	0			
2 Peons at Rs 10 each	20	0	0			
1 Jailor	60	0	0			
1 Jemadar	12	0	0			
8 Peons at Rs 10 each	80	0	0			
1 Chinese Interpreter	25	0	0			
				622	0	0

Town Police.

1 Myothugyi	40	0	0			
1 Writer	15	0	0			
1 Peon	10	0	0			
1 Superintendent of Market	30	0	0			
1 Jemadar	15	0	0			
16 Peons at Rs 10 each	160	0	0			
9 thugyis at Rs 15 each	135	0	0			
				405	0	0

Rs. A. P. Rs. A. P.

Civil Department, Amherst.

1 Thugyi	20	0	0	
1 Writer	15	0	0	
4 Peons	40	0	0	
	<hr/>			75 0 0

Land Revenue Department, Amherst.

1 Burmese Writer	20	0	0	
1 Peon	10	0	0	
	<hr/>			30 0 0

Jail Department, Amherst.

1 Jailor	35	0	0	
1 Jemadar	15	0	0	
18 Peons	180	0	0	
	<hr/>			230 0 0

Provincial Police Amherst.

1 Goung-gyounk	40	0	0	
1 Myothugyi	20	0	0	
1 Peon	10	0	0	
	<hr/>			70 0 0

Master Attendant's Department.

1 Master Attendant, Captain Corbin at Sicca Rs 300	319	8	0	
Boat allowance to Master Attendant	76	10	10	
1 Burmese Writer	20	0	0	
1 Interpreter	20	0	0	
	<hr/>			436 2 10

Naval Store-keeper's Department.

1 Naval Store-keeper at Sicca Rs 50	53	4	0	
1 English Clerk	80	0	0	
1 Godown-keeper	30	0	0	
	<hr/>			163 4 0

Pilot Establishment Amherst.

	Sc. Rs.			
1 Pilot. Mr Dray, at	200	213	0	0
1 Syrang at	20			
1 Tindal at	15			
18 Lascars at	180			
	<u>215</u>	228	15	7 $\frac{1}{4}$

Compensation to ditto in lieu of provisions.	70	0	0	
	<hr/>			511 15 7 $\frac{1}{4}$

Rs. A. P.

Rs. A. P.

Provincial Police.

7 Goung-gyouks at Rs 50 each
 7 Writers at Rs 15 each
 16 Peons at Rs 10 each

350 0 0
 105 0 0
 160 0 0

 615 0 0
Ye Establishment.

1 Goung gyounk
 1 Writer
 4 Peons at Rs 10 each
 1 Myothugyi

70 0 0
 20 0 0
 40 0 0
 15 0 0

 145 0 0
Marine.

Mr Leal in charge of the Marine
 Department
 1 Interpreter and Jemadar
 2 Peons

70 0 0
 15 0 0
 20 0 0

 105 0 0

Crew of the H.C. Schooner Fortuner

411 0 0

School Allowance

50 0 0

Total, Madras Rs.

 4,675 11 4

PROVINCE OF MERGUI.

Establishments authorized by Government.

	Rs. A.P.			Rs. A.P.		
Assistant to the Commissioner						
Lieutenant Leslie	639	0	0			
1 Munshi	20	0	0			
2 Peons	20	0	0			
	<hr/>			679	0	0
<u>Judicial.</u>						
1 English Clerk	150	0	0			
1 Interpreter	30	0	0			
1 Writer	25	0	0			
1 Expounder of Law	20	0	0			
1 Mahomed Swearer	10	0	0			
2 Peons	20	0	0			
	<hr/>			255	0	0
<u>Revenue.</u>						
1 Akunwun-goung	60	0	0			
2 Writers at Rs 20 each	40	0	0			
2 Peons at Rs 10 each	20	0	0			
	<hr/>			120	0	0
<u>Town Police.</u>						
1 Myothugyi	50	0	0			
1 Writer	20	0	0			
5 Thugyis at Rs 15 each	75	0	0			
8 Peons at Rs 10 each	80	0	0			
	<hr/>			225	0	0
<u>Provincial Police.</u>						
1 Tan thugyi	50	0	0			
1 Writer	20	0	0			
1 Tenasserim Thugyi	25	0	0			
2 Peons at Rs 10 each	20	0	0			
	<hr/>			115	0	0
<u>Jail.</u>						
1 Jailor	40	0	0			
8 Peons	80	0	0			
	<hr/>			120	0	0

Rs. A. P.

Rs. A. P.

Marine.

1 Master Attendant
1 Writer
2 Peons

150 0 0
50 0 0
20 0 0

220 0 0

Medical.

1 Apothecary
1 Toty

50 0 0
10 0 0

60 0 0

1 Headman at the new
Settlement to the Southward
Pension,

50 0 0

50 0 0

1,894 0 0

BIBLIOGRAPHY.

A. ORIGINAL MATERIALS.

I MANUSCRIPTS.

Bengal Secret and Political Consultations 1826-34

Bengal Revenue Consultations 1826-43.

Bengal Sudder Board of Revenue Proceedings 1837-43

Bengal Civil Judicial Consultations 1834-41.

Bengal Criminal Judicial Consultations 1834-42.

Despatches to Bengal from the Court of Directors 1826-43

Home Miscellaneous Series Volume 680

II PRINTED DOCUMENTS.

Selected Correspondence of Letters issued from and received in the Office of the Commissioner, Tenasserim Division for the years 1825-26 to 1842-43 Rangoon, 1929.

Precis of the Correspondence for the years 1825-26 in the Office of the Commissioner, Tenasserim Division Rangoon 1929.

Precis of old Records (1823-24) of Historical Interest in the Office of the Commissioner of Arakan, Rangoon 1928.

Journal of the Royal Asiatic Society Volume II, III and IV s.v. "Captain Low's History of Tenasserim"

The India Registers. 1826-43.

Femberton, Captain R. Boileau. "Report on the Eastern Frontier of British India with an Appendix; and a Supplement by Dr Bayfield on British Political Relations with Ava". Calcutta 1835.

McLeod and Richardson. Copy of Papers Relating to the route of Captain W.C. McLeod from Moulemein to the Frontiers of China and to the route of Dr Richardson on his fourth mission to the Shan Provinces of Burma, or extracts from the same printed by order of the House of Commons, London 1859.

B. SECONDARY WORK.

Anderson, J. "English Intercoourse with Siam in the 17th Century" London 1890

Aitchison, C.V. "A collection of Treaties, Engagements and Sanads relating to India and neighbouring countries". Vol II Calcutta 1869.

The Burney Papers, November 1824 to June 1827 relating to the mission of Captain Burney to Siam in 1825-26

Saden-Fewell, B.J. "The Land Systems of British India" (A Manual of the land revenues and of the systems of land revenue administration in the several Provinces) 3 Vols. Oxford 1892.

Cor, Captain Hiram "Journal of a Residence in the Burman Empire", London 1831.

Crawford, John. "Journal of an Embassy to Ava in 1837" London 1834.

Cambridge History of India Vol. V. "British India 1497-1858", London 1929.

Cochrane, W.W. "The Shans", Rangoon 1915.

Dovalon, Captain F.B. "Reminiscences of the First Burmese War in 1824-5-6" (originally published in the Asiatic Journal) London, 1832.

Dictionary of National Biography, s.v. Crawford, Hatched and Phayre.

Dalrymple, A. "Oriental Repository", London 1808.

Fytche, Lieut. General Albert "Burma Past and Present with personal reminiscences of the country", London 1878 2 Vols.

Firminjer, Walter Kelly "Edition to the Fifth Report from the Select Committee of the House of Commons on the affairs of the East India Company" and Glossary, 3 Vols. July 1812.

Grant Brown. R. "Burma as I saw it" 1889-1917, London 1925.

Gibbon, Frederick, "The Lawrences of the Punjab" London 1908.

Havelock, Henry, "Memoir of the Three Campaigns of Major-General Sir Archibald Campbell's Army in Ava", Serampore 1828.

Harvey G.E. "History of Burma from the earliest Times to 10th March 1824", London 1925.

Hall B.G.E. "Early English Intercourse with Burma" 1587-1743, London 1928.

Ireland, Alleyne. "The Province of Burma", 2 Vols (A report prepared on behalf of the University of Chicago) Boston 1907.

Ilbert, Sir Courtenay, "The Government of India" Oxford 1898.

Journal of the Burma Research Society,
August 1929. Article on the Salt Industry of the Amherst District by H.L. Chibber.
December 1929 Article on the Early Revenue History of Tenasserim by J.S. Furnivall.

Judson, Edward "Life and Labours of Dr. Judson".

Judson, Mrs. Anne "An account of the American Baptist Mission to the Burman Empire 1823" London 1853.

Jenkyns, Sir Henry "British Rule and Jurisdiction beyond the Seas", Oxford 1902.

Kaye, J. "The Administration of the East India Company" London 1853.

Laurie, W.F.B. "Our Burmese Wars and Relations with Burma", London 1885 (2nd Edition)

McMahon Lieut. Col. "The Karens of the Golden Chersonese", London 1876.

- Milne, Mrs. Leslie "Shans at Home", London 1910.
- Napier, Sir William "Sir Charles Napier's Administration of Scinde" 1851
- Nisbet J. "Burma under British Rule and before"
2 Vols. London 1901.
- Phayre, Lieut. Gen. Sir Arthur P. "History of Burma"
London 1883.
- Robertson, "Political Incidents of the First
Burmese War". London 1853.
- Rulers of India Series "Lord Amherst" by Anne Ritchie
and Richardson Evans. Oxford 1894.
- Ryley, J. Horton. "Ralph Fitch, England's Pioneer to
India and Burma", London 1899.
- Scott, Sir J.G. "Burma from the Earliest Times to the
Present Day", London 1924
- Scott, Sir J.G. "Burma A Handbook of Practical
Commercial and Political Information", London 1921
- Symes, Lieut. Col. Michael. "An Account of an Embassy
to the Kingdom of Ava in the year 1795", London 1800
- Strachey, Sir John "India Its Administration and
Progress", London 1903.
- Snodgrass, Major John James. "Narrative of the
Burmese War", London 1827.
- San Germano, Rev. Father. "The Burmese Empire",
London 1833.
- Trant, Captain Thomas, "Two Years in Ava 1824-26"
London 1827.
- White, Capt. W. "A Political History of the Extra-
ordinary Events which lead to the Burmese War",
London 1827.
- Wilson, H.M. "Documents Illustrative of the Burmese
War with an Introductory Sketch of the Events
of the War", Calcutta 1827.

Wilson, "A Glossary of Revenue and Judicial Terms", London 1856.

Yule, Captain Henry. (Later Col. Sir Henry)
"Narrative of the Mission to the Court of Ava" in 1855"
London 1858.

Yule and Burnell. Hobson-Jobson "A Glossary of Anglo-Indian Words and Phrases", London 1903.

"The Burma Village Manual" 1926

"The Upper Burma Village Manual" 1899.

"The Imperial Gazetteer of India" Provincial Series.
Burma, 2 Vols. Calcutta 1908.

Annual Reports on the Administration of Burma from
1926 to 1930.

The Transliteration of Burmese into English, Rangoon 1926

A Guide to the India Office Records 1600 - 1858
by Sir William Foster, London 1919

A Handbook to the Records of the Government of India
in the Imperial Record Department 1748-1859,
Calcutta 1925.